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DEVELOPMENT OF THE CONGRESS CONSTITUTION

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FOREWORD BY
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FOREWORD

The Indian National Congress has now lived through sixty-four years. And they have been very eventful years. It may be said without much exaggeration that the whole political history of India for the last sixty-four years has been greatly influenced by the premier political organisation in the land. During all these years the Congress has worked incessantly and has a proud record. It has stood always and without exception for nationalism and democracy. Nor has it neglected the economic, social and cultural regeneration of India. Having set its face against political slavery in the first instance it addressed itself naturally to that problem first and foremost. But its inspiration and its national outlook has been effectively felt in every activity in the whole of India and throughout this long period.

It was not a small task that the Congress took upon itself, nor was it an easy one. It was a matter of rousing the consciousness of a nation suppressed and repressed systematically for a century and of organising unarmed millions to fight with the weapons of peace their battle for freedom. Never once did the Congress falter in the path of its non-violent struggle, never once did it lower its ideal of freedom, and never once did it stray from its national outlook.

The Congress today is not only an organisation that has striven the hardest, sacrificed the utmost and suffered immeasurably; it is also an organisation that has finally succeeded in its hard struggle and won complete freedom for the people of India. Glorious therefore is the history of this great national organisation which is vast in its magnitude, unique in the means it used and complete in the achievement of its goal.

It began life as a small group of the elite and educated of the land in the dim eighties of the last century but having gathered strength and volume as it grew, it ended by being a

mighty mass organisation of millions which ultimately swept away the British rule by the weight of its numbers and the moral greatness of the cause it represented. But it is not for me to go into the history of the Congress here.

The first Congress which met in 1885 was a group of only 89 people and its roll has now gone up to eight millions and is still growing. One can very easily see that there is something very elemental and organic in the development of the Congress. It is almost like the surging sea as it develops full tide or like the mighty river of humble origin which picks up force and speed on the way.

It is the history of such a development of the constitution of the Congress that this booklet has traced. The Congress has generally been, through all its vicissitudes and changes, a living, growing institution conducting the struggle for freedom from day to day. No existing constitution of any other body could be useful for its purposes and so it had to evolve its own pattern from its inception. Further the Congress has, like any other living and vital organisation, made changes in its constitution whenever it had to adjust itself to circumstances and whenever it had to struggle with opposing forces.

This study brings before our mind's eye the various stages through which the Congress has passed. While describing the changes in the constitution of the Congress, the important reasons behind these changes have also been noted. Since it is documented, it is sure to prove very useful to every Congressman and to every student of popular organisations in and outside India.

Dr. Rajkumar has taken great pains and they would be amply repaid if this booklet gives guidance to those that seek it.

NEW DELHI,
1st August, 1949.

R. R. Diwakar

PREFACE

The history of the Indian National Congress has been the history of India's struggle for freedom from the foreign yoke. For the last sixty-four years the Congress has fought with single-minded devotion for the Independence of the country and when at last Swaraj became a fact on the 15th August, 1947, it was to the Congress that power was transferred by Britain. Having achieved the object for which it was constituted 64 years ago, the Congress has now ceased to be a national movement and has emerged as the strongest and the most powerful political party in India in control of the Central Government and all the Provincial Governments.

To what does the Congress owe the powerful hold it has had and still has over the Indian people? Undoubtedly to its great organisation which, for half a century and more, has striven to achieve the national objective by carrying out the programme chalked out from time to time. In other words, the constitutional structure of the Congress has had an important bearing on its gradual evolution towards becoming a powerful mass organisation. A constitution usually recites the main objectives of the organisation for which it is framed and lays down the broad rules for the conduct of its work. A study of the development of the Congress Constitution would therefore yield a rich harvest.

This then, is the justification for this story of the Congress Constitution. It would show to what extent the changes in the Constitution from time to time, have kept pace with the needs of the times and helped the Congress to carry on along right lines. For, a constitution to be living and responsive to the needs of the situation and of the organisation concerned, must always evolve with it. It can never be a ready-made pattern into which an organisation could fit automatically. The growth of the

Congress is readily traceable in the changes made in its constitution at various stages in its career as well as in its resolutions of policy passed from time to time. Accordingly, the present constitution of the Congress passed in April, 1948 is the culmination of a long process of growth and change depending upon the internal needs of the organisation and the objective conditions in the country.

We are conscious of the many imperfections of this small attempt which had to be undertaken in the midst of other and more pressing official duties. This booklet is essentially meant for students of mass organisations and it is our hope that it will serve the purpose for which it is meant.

It is our good fortune that the Honourable Shri R. R. Diwakar, with his usual kindness and courtesy, readily agreed to contribute a foreword for this book. He was the chief draftsman of the new Congress Constitution and his guidance in the preparation of this booklet was very valuable. It is his deep interest and enthusiasm that has enabled us to bring out this study.

NEW DELHI,
15th August, 1949.

N. V. Rajkumar

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DEVELOPMENT OF THE CONGRESS CONSTITUTION

CHAPTER I

EARLY ATTEMPTS AT CONSTITUTION-MAKING (1885—1898)

The first session of the Indian National Congress consisting of only 89 members from all over India met in Bombay in December, 1885, without any Constitution or rules to guide its deliberations. Every well-wisher of India irrespective of caste or colour, creed or community, sect or religion, could take part in it. The Congress at that time was merely a platform for expression of public opinion on political matters. The two main demands were Indianisation and association of Indians with the administration of the country.

It was not until two years later that it was thought necessary to frame some rules and have a regular constitution for the organisation. At the third session of the Congress held in Madras (1887) a committee consisting of 35 members was appointed to report immediately on this subject by the 30th December of that year. The resolution stated :—

“That a Committee be appointed, consisting of the gentlemen (whose names are given below)* to consider what rules, if any, may now be usefully framed in regard to the Constitution and working of the Congress, with instructions to report thereon to the Congress, on the 30th instant.”

(Resolution No. I, 27th December, 1887).

But the rules suggested were recommendatory and the Congress Committees that were functioning already were requested to observe these rules if they thought it possible and desirable. They were further requested to make suggestions. The Congress resolved :—

“That the rules drafted by the Committee appointed under Resolution I stand over for consideration till the next Congress, but that, in the meantime, copies be circulated to all Standing Congress Committees, with the request that they will, during the coming year, act in accordance with these rules, so far as this may seem to them possible and desirable, and report thereon to the next Congress, with such further suggestions as to them may seem meet”.

(Resolution IX, 1887).

Twelve years elapsed before a regular Constitution was approved by the Congress. An important resolution passed in 1888 laid down a peculiar procedure :—

* Messrs Nain Joshi, Chandavarkar, Mir Humayun Jha Bahadur, Haje Mahomed Abdul Shukoor Badstow Sahib, S. Subramania Iyer, W. S. Gant, Rangiah Naidu, Surendra Nath Banerji, Trailokyanath Mitra, Kali Charan Banerji, Guru Prasad Sen, Seligram Singh, Ram Kali Chaudhri, Hafiz Abdul Rahim, Rampal Singh, Pandit Madan Mohan, Ganga Prasad Varma, Bis-han Narayan Das, Humid Ali, Murlidhar, Satyanand Agnihotri, H. H. Dhruva, W. C. Bonnerjee, Norendra Nath Sen, Eardley Norton, Joy Govind Shome, Iswari Lal Sircar, G. Subramania Iyer, D. A. Khare, S. A. Saminada Iyer, Sabapathy Mudaliar, A. O. Hume, C. Vijayaraghava Chariar, Govind Baksan and R. P. Karanikur.

“Resolved— That no subject shall be passed for discussion by the Subjects Committee or allowed to be discussed at any Congress by the President thereof, to the introduction of which the Hindu or Mohamedan Delegates as a body object unanimously or nearly unanimously ; and that if, after the discussion of any subject which has been admitted for discussion, it shall appear that all the Hindu or all the Mohamedan Delegates, as a body, are unanimously or nearly unanimously, opposed to the Resolution which it is proposed to pass thereon, such Resolution shall be dropped ; provided that this rule shall refer only to subjects in regard to which the Congress has not already definitely pronounced an opinion.”

(Resolution XIII, Allahabad, 26th December, 1888)

It shows how early in the history of the Congress, communal considerations began to raise their heads.

By 1894, the Congress had come to the conclusion that the time had come to regularise the rules under which it should work in the future. Therefore at the tenth Session held in Madras, the Congress passed the following resolution authorising the Poona Congress Committee to draft the necessary rules and circulate them for eliciting opinion :—

“Resolved— That this Congress is of opinion that the time has come when the constitution of the Congress should be settled, and rules and regulations laid down as to the number of Delegates, their qualifications, the localities for assemblage, and the like, and with this view the Congress requests the Standing Congress Committee of Poona to draw up draft rules and circulate them among the different Standing Congress Committees for their report ; these reports, together with the draft rules and the report thereon, to be laid before the next Congress for its consideration.”

(Resolution XXVII, 29th December, 1894)

When the next Congress met at Poona, apparently the final report as envisaged by the previous resolution was not ready. A sort of reminding resolution was therefore passed :—

“That the draft rules in regard to the constitution and working of the Indian National Congress, as framed by the Poona Congress Committee in accordance with the resolution, in that behalf, of the last Congress, be circulated by the Poona Committee to all the Standing Congress Committees, with instructions to report to the General Secretary and the Standing Counsel at least three months before the next Congress.”

(Resolution No. I, 27th December, 1895).

The matter rested there for another three years and no progress was made in the drafting of a Constitution for the Congress. The matter was again taken up in right earnest at the fourteenth session of the Congress which was again held at Madras, when the local Reception Committee circulated a draft Constitution for consideration. A representative committee was thereupon appointed to go into the question and make definite recommendations to the next Congress. Meanwhile a few rules were laid down to strengthen the organisation. The resolution on the subject reads thus :—

“Resolved—(a) That all the Standing Congress Committees be requested to form Central Committees in their respective Provinces, for the appointment of agents and adoption of other measures for furthering the objects of the Congress, such Central Committees submitting annually at the meeting of the Congress, a report of the work carried out in their Provinces during the year. (b) That the Standing Congress Committees at Madras,

Bombay, Nagpur, Amraoti, Calcutta, Allahabad and Lahore be requested to take measures to give early effect to this Resolution. (c) And further that a Committee consisting of the following gentlemen, exclusive of the President and ex-Presidents now in India, who shall be ex-officio members, be appointed to consider the draft constitution circulated by the Reception Committee of Madras and submit a definite scheme to the next Congress, and that this do form the first subject of discussion at the next meeting of the Congress :

- (1) Baboo Aswini Kumar Dutt, Bengal
 - (2) Mr. D. E. Wacha, Bombay
 - (3) Mr. Joshiram, Punjab
 - (4) Mr. Gungaprasad Varma, Oudh
 - (5) Pandit Madan Mohan Malaviya, N. W. Provinces
 - (6) Mr. Raghunath Pandurang Karandikar, Satara
 - (7) Mr. Bapu Rao Dada, Central Provinces
 - (8) Mr. G. Subramania Iyer, Madras
- and (9) Mr. R. N. Mudholkar, Berar, to act as Secretary to the Committee.

(Resolution No. XIX, December, 1898).

This paved the way for the passing of the first Congress Constitution.

CHAPTER II

THE FIRST CONGRESS CONSTITUTION (1899 - 1907)

The next session of the Congress was held in Lucknow. It was there that in 1899 a formal constitution was passed after several previous attempts to do so. It described the object of the Indian National Congress to be "to promote by constitutional means, the interests and the well-being of the people of the Indian Empire". Delegates to the Congress were to be "elected by political associations or other bodies and by public meetings". For the first time an "Indian Congress Committee" of 45 members was set up to carry on the work of the Congress throughout the year. This was the forerunner of the present All India Congress Committee. Seven Provincial Committees corresponding to the then existing seven Governor's provinces were also created. The full text of this, the first Constitution of the Congress, is given below :—

"Resolved—That this Congress adopts the following rules regarding the Constitution of the Congress :—

1. The object of the Indian National Congress shall be to promote by constitutional means the interests and the well-being of the people of the Indian Empire.

2. It shall ordinarily meet once a year at such time and in such place as shall have been resolved on by the last preceding Congress. Provided that the Indian Congress Committee, as hereinafter provided for, may in case of necessity, change the

place or time of the meeting of the Congress ; provided also that in case of emergency the Indian Congress Committee may convene an extraordinary session of the Congress at such time and place as may be determined by them.

3. It shall consist of delegates elected by political associations or other bodies, and by public meetings.

4. Its affairs shall be managed by a Committee, styled the Indian Congress Committee, consisting of 45 members elected by the Congress, 40 of whom shall be elected upon the recommendations of the different Provincial Congress Committees, and, in the absence of such Committees, by the delegates of the respective Provinces in Congress assembled, in the manner here-inbelow laid down that is to say :

For Bengal including Assam	..	... 8
For Bombay including Sind	..	.. 8
For Madras including Secunderabad	..	.. 8
For North-Western Provinces including Oudh	..	.. 6
For Punjab	... ..	... 4
For Berar	... ..	... 3
For Central Provinces	..	... 3.

The term of office of the members of the Committee shall be the period intervening between two ordinary meetings of the Congress.

5. The Indian Congress Committee shall meet at least three times a year, once immediately after the Congress, once during the year between the months of June and October, as may be determined upon by the Committee, and once immediately before the Congress, at such place as the Committee may find convenient.

6. The Indian Congress Committee shall have the Honorary Secretary and a paid Assistant Secretary, with suitable office staff, for which a sum of Rs. 5,000 shall be granted annually,

one half of which shall be provided by the Reception Committee of the place where the last Congress is held, and the other half by the Reception Committee of the place where the next succeeding Congress is to be held.

The Secretary to the Indian National Congress shall be the Honorary Secretary of the Committee.

7. Provincial Congress Committees shall be organised at the capitals of the different Presidencies and Provinces of India for the purpose of carrying on the work of political education, on lines of general appreciation of British rule and of constitutional action for the removal of its defects, throughout the year, by organizing Standing Congress Committees, holding Provincial Conferences, and by such other means as they deem proper, in consultation with the Indian Congress Committee, for furthering the objects of the Congress. They shall be the responsible agents of the Indian Congress Committee for their respective Provinces, and shall submit annual reports of their work to that Committee.

8. The nomination of the President, the drafting of Resolutions, and all other business in connection with the Congress, shall be done by the Indian Congress Committee. It shall also, subject to the approval of the Congress, frame rules for the election of delegates, the election of speakers, and the conduct of the proceedings of the Congress.

9. Rules and bye-laws shall be framed by the Provincial Congress Committees for the election of members, the conduct of their own proceedings, and other matters appertaining to their business. All such rules and bye-laws shall be subject to the approval of the Indian Congress Committee.

10. A committee, styled the British Congress Committee, shall be maintained in England, which shall represent there the interests of the Indian National Congress. The amount requisite for the expenses of the said Committee shall be determined and voted by the Congress, and the amount so voted shall

be raised by the Indian Congress Committee in such manner as may be determined upon by that body from time to time.

11. The Indian Congress Committee shall take such steps as they may deem fit to raise a permanent fund for carrying on the work of the Indian National Congress ; and such fund shall be invested in the name of 7 trustees, one from each Province in India, to be appointed by the Congress ”

(Resolution X, 27th—30th December, 1899).

The next year, this Constitution was slightly amended in order to further elaborate the provisions dealing with the composition of the Indian Congress Committee. This was done at the sixteenth session of the Congress held in Lahore.

Resolved - That Rule 4 of the constitution of the Congress Committee be amended as follows : -

“ Its affairs shall be managed by a Committee styled the Indian Congress Committee consisting of, besides the ex-officio members referred to below, 45 members elected by the Congress, 40 of whom shall be elected upon the recommendations of the different Provincial Congress Committees, and, in the absence of such Committees, by the delegates of the respective Provinces in Congress assembled, in the manner hereinbelow laid down, that is to say :

For Bengal including Assam	...	...	7
For Bombay including Sind	...	...	7
For Madras	...	...	7
For N.W.F P. including Oudh	...	...	7
For Punjab	...	...	6
For Berar	...	...	3
For Central Provinces	...	...	3

The ex-officio members shall be, the President of the Congress, the President-elect from the day of his nomination, the ex-Presidents of the Congress, the Secretary and Assistant Secretary of the Congress, the Chairman of the Reception Committee and the Secretary of the Reception Committee to be nominated by the Reception Committee.

The term of office of the Members of the Committee shall be the period intervening between two ordinary meetings of the Congress."

(Resolution I, 27th–29th December, 1900).

CHAPTER III

THE CONSTITUTION OF 1908 (1908-1914)

The Constitution of 1899 as amended in 1900 held good until the unfortunate 'Surat Split', when the secession of the extremists from the Congress made certain changes necessary. After the adjournment of the 23rd Indian National Congress at Surat on the afternoon of the 27th December, 1907, a large number of the leading delegates met the same evening in Sir P. M. Mehta's quarters to consider what steps should be taken to continue the work of the Congress. At that meeting it was unanimously resolved that a National Convention be held at Surat on the next day (28th December) and the following notice calling the convention was issued : —

“ The 23rd Indian National Congress having been suspended *sine die* under painful circumstances, the undersigned have resolved, with a view to the orderly conduct of future political work in the country, to call a convention of those delegates to the Congress who are agreed : —

(1) That the attainment by India of self-government similar to that enjoyed by the self-governing members of the British Empire and participation by her in the rights and responsibilities of the Empire on equal terms with those members, is the goal of our political aspirations.

(2) That the advance towards this goal is to be by strictly constitutional means by bringing about a steady reform of the existing system of administration and by promoting national

unity, fostering public spirit and improving the condition of the mass of the people.

(3) And that all meetings held for the promotion of the aims and objects above indicated have to be conducted in an orderly manner with due submission to the authority of those that are entrusted with the power to control their procedure and they are requested to attend at 1. p. m. on Saturday, the 28th December, 1907 in the Pandal lent for the purpose by the Working Committee of the Reception Committee of the 23rd Indian National Congress

Rash Behari Ghose
Pherozeshah M. Mehta
Surendranath Banerjee
G. K. Gokhale
D. E. Wacha
Narendranath Sen
Ambalal Sakeral Desai
V. Krishnaswami Iyer
Tribhovandas N. Malvi
Madan Mohan Malviya
etc. etc. ”

The convention met as scheduled on the 28th December, 1907. Over nine hundred delegates subscribed to the terms of the Convention and attended it. Dr. Rash Behari Ghose took the chair and said: “ You are all aware of the painful circumstances under which I was most reluctantly and painfully compelled to suspend the sittings of the Congress yesterday. We have met this afternoon not in Congress but in Convention, and that Convention consists of delegates who have subscribed to what I may describe as two fundamental articles of our creed. With the object of formulating a

constitution for the Congress, and laying down the lines on which our political agitation should be carried on, it is proposed to form a representative committee who will frame rules for the orderly conduct of our future political work in the country." Mr. Gokhale then moved the resolution appointing the Committee. He said that the Committee he was to name would draw up a constitution on the lines laid down in the declaration of the creed which all of them had signed. He formally moved the adoption of all the above names for the Committee, which was also to make arrangements for the first meeting of the body to be brought into existence under the new Constitution. Dewan Bahadur Govindaraghava Iyer seconding the motion said that he had no doubt the Committee would fully justify the confidence reposed in them by drawing up a Constitution "which would be for the good of the body and last for a good length of time." The motion appointing the Committee was carried unanimously. Messrs. Gokhale and D. E. Wacha were appointed Joint Secretaries to the Committee.

At a meeting held at Allahabad on the 18th and 19th April, 1908, this Committee adopted a Constitution for the Indian National Congress on the lines laid down in the declaration of the creed signed by all the members of the Surat Convention as well as Rules for the conduct and regulation of the meetings of the Indian National Congress.

The object of the Congress was defined as establishment of a system of Government in India similar to that enjoyed by self-governing members of the British

Empire and it was to be achieved by constitutional means. Any one who had attained the age of 21 years could become a member of the Congress by subscribing to this object in writing. The number of members of the A.I.C.C. was raised to 97 and it was recommended that one-fifth of this number should be Muslims. Further in Article XXVI it was laid down that the interests of minorities would be fully safeguarded in case of any political demands that the Congress might make, showing thereby its anxiety to get the cooperation of all elements in the country.

The President and Secretaries of the Convention Committee were entrusted with the duty of arranging a meeting of the Congress in December, 1908 in accordance with the new Constitution. The Constitution containing 31 articles and the 31 Rules thereunder are given below :—

C O N S T I T U T I O N

O F T H E

I N D I A N N A T I O N A L C O N G R E S S O R G A N I S A T I O N

Objects

Article I

The objects of the Indian National Congress are the attainment by the people of India of a system of government similar to that enjoyed by the self-governing Members of the British Empire and participation by them in the rights and responsibilities of the Empire on equal terms with those Members. These objects are to be achieved by constitutional means by bringing about a steady reform of the existing system of administration

and by promoting national unity, fostering public spirit and developing and organising the intellectual, moral, economic and industrial resources of the country.

Article II

Every Delegate to the Indian National Congress shall express in writing his acceptance of the Objects of the Congress as laid down in Article I of this Constitution and his willingness to abide by this Constitution and by the Rules of the Congress hereto appended

Sessions of the Congress

Article III

- (a) The Indian National Congress shall ordinarily meet once every year during Christmas holidays at such town as may have been decided upon at the previous session of the Congress.
- (b) If no such decision has been arrived at, the All-India Congress Committee shall decide the matter.
- (c) An extraordinary session of the Congress may be summoned by the All-India Congress Committee, either of its own motion or on the requisition of a majority of the Provincial Congress Committees, wherever and whenever it may deem it advisable to hold such session.
- (d) It shall be open to the All-India Congress Committee to change the venue of the Congress to some other town, when such change is deemed by it to be necessary or desirable owing to serious or unforeseen difficulties or other contingencies of a like nature.

Component Parts of the Organisation

Article IV

The Indian National Congress Organisation will consist of :

- (a) The Indian National Congress ;
 - (b) The Provincial Congress Committees ;
 - (c) District Congress Committees or Associations affiliated to the Provincial Congress Committees ;
 - (d) Sub-Divisional or Taluka Congress Committees affiliated to the District Congress Committees or Associations ;
 - (e) Political Associations or Public Bodies recognised as Electorates in accordance with clause (3) of Article XX;
 - (f) The All-India Congress Committee ;
 - (g) The British Committee of the Congress ;
- and (h) Bodies formed or organised periodically by a Provincial Congress Committee, such as the Provincial or District Conferences or the Reception Committee of the Congress or Conference for the year.

Article V

No person shall be eligible to be a member of any of the Provincial or District or other Congress Committees or Associations or Bodies mentioned in clauses (b), (c), (d) and (h) of Article IV, unless he has attained the age of twenty-one and expresses in writing his acceptance of the Objects of the Congress as laid down in Article I of this Constitution and his willingness to abide by this Constitution and by the Rules of the Congress hereto appended.

Provincial Congress Committees

Article VI

(a) To act for the Province in Congress matters and for organising Provincial or District Conferences in such manner as it may deem proper, there shall be a Provincial Congress Committee with its headquarters at the chief town of the Province in each of the following nine Provinces :—

1. Madras ; 2. Bombay ; 3. United Bengal ; 4. United Provinces ; 5. Punjab (including North West Frontier

Province); 6. Central Provinces; 7. Bihar; 8. Berar and 9. Burma.

(b) The Provincial Sub-Committees of the Convention shall, in the first instance, form themselves into Provincial Congress Committees.

(c) The Secretaries of the Convention Committees shall take steps to form separate Provincial Congress Committees for Central Provinces, Bihar and Burma.

Article VII

Every Provincial Congress Committee so formed will add to its number :

(a) Representatives elected in accordance with its term of affiliation by every affiliated District Congress Committee or Association referred to in clause (c) of Article IV.

(b) As many representatives of recognised Political Associations or Public Bodies referred to in clause (e) of Article IV as each Provincial Congress Committee may think fit to determine.

(c) Such other persons in the Province as may have attended as many sessions of the Congress as delegates as may be determined by each Provincial Congress Committee for its own Province.

(d) All such ex-Presidents of the Congress or ex-Chairmen of Reception Committees of the Congress as ordinarily reside within the jurisdiction of the Provincial Congress Committee and may not have been enrolled as members of the said Committee in accordance with clause (b) of Article VI or by virtue of the provisions contained in any of the foregoing clauses of this Article.

(e) The Joint Secretary or Secretaries of the Congress ordinarily residing within the jurisdiction of the Provincial Congress Committee, such Joint Secretary or Secretaries being added as ex-Officio member or members of the said Committee,

Article VIII

Every member of the Provincial Congress Committee shall pay an annual subscription of not less than Rs. 5.

District or other Congress Committees or Associations*Article IX*

The Provincial Congress Committee shall have affiliated to itself a District Congress Committee or Association for each District, wherever possible, or for such other areas in the Province as it deems proper, subject to such conditions or terms of affiliation as it may deem expedient or necessary. It will be the duty of the District Congress Committee or Association to act for the District in Congress matters with the co-operation of any Sub-divisional or Taluka Congress Committees which may be organised and affiliated to it, subject in all cases to the general control and approval of the Provincial Congress Committee.

Article X

Every member of the District Congress Committee or Association shall either be a resident of the District or shall have a substantial interest in the District and shall pay an annual subscription of not less than one Rupee.

Article XI

No District Congress Committee or Association or Public Body referred to in clauses (c) and (e) of Article IV shall be entitled to return representatives to the Provincial Congress Committee or Delegates to the Congress or to the Provincial Conference unless it contributes to the Provincial Congress Committee such annual subscription as may be determined by the latter.

Article XII

Each Provincial Congress Committee shall frame its own rules not inconsistent with the Constitution and Rules of

the Congress. No district or other Congress Committee or Association mentioned in Article IX shall frame any Rules inconsistent with those framed by the Provincial Congress Committee to which it is affiliated.

The All-India Congress Committee

Article XIII

The All-India Congress Committee shall, as far as possible, be constituted as hereinbelow laid down :

15	Representatives of Madras ;
15	„ Bombay ;
20	„ United Bengal ;
15	„ United Provinces ;
13	„ Punjab (including N.W. Frontier Province) ;
7	„ Central Provinces ;
5	„ Bihar ;
5	„ Berar ;
and 2	„ Burma ;

Provided as far as possible that one-fifth of the total number of representatives shall be Mahomedans.

All ex-Presidents of the Congress, residing or present in India and the General Secretaries of the Congress, who shall also be ex-officio General Secretaries of the All-India Congress Committee, shall be ex-officio members in addition.

Article XIV

The representatives of each Province shall be elected by its Provincial Congress Committee at a meeting held, as far as possible, before the 30th of November for each year. If any Provincial Congress Committee fails to elect its representatives, the said representatives shall be elected by the Delegates for that Province present at the ensuing Congress. In either case the representatives of each Province shall be elected from among,

the members of its Provincial Congress Committee, and the election shall be made, as far as possible, with due regard to the proviso in Article XIII.

Article XV

The names of the representatives so elected by the different Provinces shall be communicated to the General Secretaries. These together with the names of the ex-officio members shall be announced at the Congress.

Article XVI

The President of the Congress at which the All-India Congress Committee comes into existence shall, if he ordinarily resides in India, be ex-officio President of the All-India Congress Committee. In his absence the members of the All-India Congress Committee may elect their own President.

Article XVII

(a) The All-India Congress Committee so constituted shall hold office from the dissolution of the Congress at which it comes into existence till the dissolution of the following Congress.

(b) If any vacancy arises by death, resignation or otherwise, the remaining members of the Province in respect of which the vacancy has arisen shall be competent to fill it up for the remaining period.

Article XVIII

(a) It will be the duty of the All-India Congress Committee to take such steps as it may deem expedient and practicable to carry on the work and propaganda of the Congress, and it shall have the power to deal with all such matters of great importance or urgency as may require to be disposed of in the name of and for the purpose of the Congress, in addition to matters specified in this Constitution as falling within its powers or functions.

(b) The decision of the All-India Congress Committee shall, in every case above referred to, be final and binding on the Congress and on the Reception Committee or the Provincial Congress Committee, as the case may be, that may be affected by it.

Article XIX

On the requisition in writing of not less than 20 of its members, the General Secretaries shall convene a meeting of the All-India Congress Committee at the earliest possible time.

Electorates and Delegates

Article XX

The right of electing Delegates to the Indian National Congress shall vest exclusively in (1) the British Committee of the Congress; (2) Provincial or District or other Congress Committees or Associations formed or affiliated as hereinabove laid down; and (3) such Political Associations or Public Bodies of more than three years' standing as may be recognised in that behalf by the Provincial Congress Committee of the Province to which the Political Association or Public Body belongs, provided that no such Political Association or Public Body shall be so recognised unless the said Political Association or Public Body, by a Resolution at a General Meeting of its members, expresses its acceptance of the principles embodied in Article I of this Constitution and makes the acceptance of the same a condition precedent to new membership.

Article XXI

All Delegates to the Indian National Congress shall pay a fee of Rs. 20/- each and shall be not less than twenty-one years at the date of election.

Reception Committee of the Congress

Article XXII

(a) The Provincial Congress Committee of the Province in which the Congress is to be held shall take steps to form

a Reception Committee for the Congress. Every one, who ordinarily resides in the Province, fulfils the conditions laid down in Article V of this Constitution and pays a minimum contribution of Rs. 25/-, shall be eligible as a member of the Reception Committee.

(b) No one who is only a member of the Reception Committee, but not a delegate, shall be allowed to vote or take part in the debate at the Congress.

(c) The Reception Committee shall be bound to provide the necessary funds for meeting all the expenses of the Congress as also the cost of preparing, printing, publishing and distributing in the Report of the Congress.

Election of the President

Article XXIII

(a) In the month of June, the Reception Committee shall consult the several Provincial Congress Committees as to the selection of the President for the year's Congress. The Provincial Congress Committees shall make their recommendations by the end of July; and in the month of August the Reception Committee shall meet to consider the recommendations. If a person be recommended by a majority of the members of the Reception Committee present at a special meeting called for the purpose, that person shall be the President of the next Congress. If however, the Reception Committee is unable to elect the President in the manner mentioned above, the matter shall forthwith be referred by it to the All-India Congress Committee, whose decision shall be arrived at, as far as possible, before the end of September. In either case, the election shall be final.

Provided that in no case shall the person so elected President, belong to the Province in which the Congress is to be held.

(b) There shall be no formal election of the President by or in the Congress, but merely the adoption (in accordance with the provisions in that behalf laid down in Rule 3, clause (b) of the "Rules" hereto appended) of a formal Resolution requesting the President, already elected in the manner hereinabove laid down, to take the chair.

Subjects Committee

Article XXIV

The Subjects Committee to be appointed at each session of the Congress to settle its programme of business to be transacted shall, as far as possible, consist of :

Not more than 15 representatives of Madras.

„	„	„	15	„	Bombay
„	„	„	20	„	United Bengal
„	„	„	15	„	United Provinces
„	„	„	13	„	Punjab (including N. W Frontier Province)
„	„	„	7	„	Central Provinces
„	„	„	5	„	Bihar
„	„	„	5	„	Berar
„	„	„	2	„	Burma
„	„	„	5	„	British Committee of the Congress

and additional 10 representatives of the Province in which the Congress is held.

All the abovementioned representatives being elected, in accordance with Rule 9 of the "Rules" hereto appended, by the Delegates attending the Congress from the respective Provinces.

The President of the Congress for the year, the Chairman of the Reception Committee of the year, all ex-Presidents and ex-Chairmen of Reception Committees, the General Secretaries

of the Congress, the local Secretaries of the Congress for the year, not exceeding six in number, and all the members of the All-India Congress Committee for the year, shall, in addition be ex-officio members of the Subjects Committee.

Article XXV

The President of the Congress for the year shall be ex-officio Chairman of the Subjects Committee.

Contentious Subjects and Interest of Minorities

Article XXVI

(a) No subject shall be passed for discussion by the Subjects Committee or allowed to be discussed at any Congress by the President thereof, to the introduction of which the Hindu or Mahomedan Delegates, as a body, object by a majority of three-fourths of their number; and if, after the discussion it shall appear that the Hindu or Mahomedan Delegates, as a body, are, by a majority of three-fourths of their number, opposed to the Resolution which it is proposed to pass thereon, such Resolution shall be dropped.

(b) The President of the Congress for the year may nominate five delegates to the Subjects Committee to represent minorities or to make up such deficiencies as he may think necessary,

(c) In any representations which the Congress may make or in any demands which it may put forward for the larger association of the people of India with the administration of the country, the interests of minorities shall be duly safeguarded.

Voting at the Congress

Article XXVII

Ordinarily, all questions shall be decided by a majority of votes as laid down in Rule 21 of the "Rules" hereto appended but in cases falling under Article XXX of this Constitution or whenever a division is duly asked for in accordance with Rule 22 of the

“Rules” hereto appended, the voting at the Congress shall be by Provinces only. In cases falling under clause (1) of Article XXX, each Province shall have one vote, to be given as determined by a majority of its Delegates present at the Congress. In all other cases of voting by Provinces, the vote of each Province, determined as aforesaid, shall be equivalent to the number of representatives assigned to the Province in constituting the All-India Congress Committee.

The British Committee of the Congress

Article XXVIII

The Reception Committee of the Province in which the Congress is held shall remit to the British Committee of the Congress, through the General Secretaries of the Congress, half the amount of the fees received by it from Delegates.

General Secretaries

Article XXIX

(a) The Indian National Congress shall have two General Secretaries who shall be annually elected by the Congress. They shall be responsible for the preparation, publication and distribution of the Report of the Congress. They shall also be responsible for the preparation and circulation of Draft Resolutions of the Congress, which they must send to the Provincial Congress Committee at the latest in the first week of December

(b) The All-India Congress Committee shall make adequate provision for the expenses of the work devolving on the General Secretaries, either out of the surplus at the disposal of the Reception Committee or by calling upon the Provincial Congress Committee to make such contributions as it may deem fit to apportion among them.

Changes in the Constitution or Rules

Article XXX

No addition, alteration or amendment shall be made (1) in Article I of this Constitution except by a unanimous vote of all the Provinces, and (2) in the rest of this Constitution or in the "Rules" hereto appended except by a majority of not less than two-thirds of the votes of the Provinces, provided in either case, that no motion for any such addition, alteration or amendment shall be brought before the Congress unless it has been previously accepted by the Subjects Committee of the Congress for the year.

Transitory Provisions

Article XXXI

(a) The Committee appointed by the Convention at Surat on 28th December, 1907 for drawing up a Constitution for the Congress shall exercise all the powers of the All-India Congress Committee till the formation of the latter at the next session of the Congress.

(b) The Secretaries of the said Convention Committee shall discharge the duties of the General Secretaries of the Congress till the dissolution of the next session of the Congress.

(c) The President and Secretaries of the Convention Committee should, in consultation with the Secretaries of the several Provincial Sub-Committees, arrange for the holding of a Session of the Congress during Christmas next in accordance with this Constitution.

(d) For the year 1908, the Reception Committee may, in electing the President, consult the Provincial Congress Committees in the beginning of October, before the end of which month, the Provincial Congress Committees, on being so consulted, shall make their recommendations, and the rest of the procedure prescribed in Article XXIII should be followed and completed as far as possible before the end of November.

R U L E S

FOR THE CONDUCT AND REGULATION OF THE INDIAN NATIONAL CONGRESS MEETINGS

*(Adopted at the meeting of the Convention Committee held at
Allahabad on the 18th and 19th of April 1908)*

1. The Indian National Congress shall ordinarily hold an Annual Session at such place as may have been decided upon in accordance with Article III of the Constitution and on such days during Christmas week as may be fixed by the Reception Committee. An extraordinary session of the Congress shall be held at such town and on such days as the All-India Congress Committee may determine

2. Each Congress session shall open with a meeting of the Delegates at such time and place as may be notified by the Reception Committee. The time and place of subsequent sittings of the session shall be fixed and announced by the President of the Congress.

3. The proceedings of the opening day and at the first sitting of each Congress session shall, as far as possible, consist of :—

(a) The Chairman of the Reception Committee's inaugural address of welcome to the delegates.

(b) The adoption of a formal Resolution, to be moved, seconded and supported by such Delegates as the Chairman of the Reception Committee invites or permits, requesting the President elected by the Reception Committee or the All-India Congress Committee, as the case may be, to take the chair, no opposition by way of a motion for amendment, adjournment or otherwise being allowed to postpone or prevent the carrying out of the said Resolution.

(c) The President's taking the chair and his inaugural address.

(d) Reading or distribution of the Report, if any, of the All-India Congress Committee and any statement that the General Secretaries may have to make.

(e) Any formal motions of thanks, congratulations, condolences, etc., as the President of the Congress may choose to move from the chair.

(f) The adjournment of the Congress for the appointment of the Subjects Committee and the announcement by the President of the time and place of the meetings of the Delegates of the different Provinces for the election of the members of the Subjects Committee, and also of the first meeting of the Subjects Committee.

4. No other business or motions in any form shall be allowed at the opening sitting of the Congress Session.

5. The Chairman of the Reception Committee shall preside over the assembly at the first sitting until the President takes the chair. The President of the Congress shall preside at all sittings of the Congress session as well as at all meetings of the Subjects Committee. In case of his absence and during such absence, any ex-President of the Congress present, who may be nominated by the President, and in case no ex-President is available, the Chairman of the Reception Committee shall preside at the Congress sitting; provided that the Subjects Committee may in such cases choose its own Chairman.

6. The President or the Chairman shall have, at all votings, one vote in his individual capacity and also a casting vote in case of equality of votes.

7. The President or Chairman shall decide all points of order and procedure summarily and his decision shall be final and binding.

8. The President or Chairman shall have the power, in cases of grave disorder or for any other legitimate reason, to adjourn the Congress either to a definite time or *sine die*.

9. The election of the members of the Subjects Committee shall take place at meetings of the Delegates of different Provinces held at such place and time as may be announced by the President. Each such meeting, in case of contest, shall have a Chairman who will first receive nominations, each nomination being made by at least five delegates, and then after announcing all the nominations he may ask each Delegate to give in a list of the members he votes for, and he may put the nominated names to the vote in such order as he pleases, or if there are only two rival lists, he shall take votes on these lists and announce the result of the election and forthwith communicate the same to the General Secretaries of the Congress.

10. The Subjects Committee shall deliberate upon and prepare the agenda paper for the business to be transacted at the next Congress sitting. The General Secretaries shall, as far as practicable, distribute among the Delegates a printed copy of the agenda paper for each sitting before the sitting commences.

11. At each sitting of the Congress, the order in which business shall be transacted shall be as follows :—

(a) The resolutions recommended for adoption by the Subjects Committee.

(b) Any substantive motion not included in (a) but which does not fall under Article XXX of the Constitution and which 25 Delegates request the President in writing, before the commencement of the day's sitting, to be allowed to place before the Congress ; provided however, that no such motion shall be allowed unless it has been previously discussed at a meeting of the Subjects Committee and has received the support of at least a third of the members then present.

12. Nothing in the foregoing rule shall prevent the President from changing the order of the Resolutions mentioned

in Rule 11 (a) or from himself moving from the chair formal motions of thanks, congratulations, condolences or the like.

13. The proposers, seconders and supporters of the Resolution recommended for adoption by the Subjects Committee shall be Delegates and shall be selected by the said Committee. The President may allow other Delegates to speak on the Resolutions at his discretion and may allow any distinguished visitor to address the Congress. Nothing in the foregoing, however, shall prevent the President from moving from the chair such Resolutions as he may be authorised to do by the Subjects Committee.

14. An amendment may be moved to any motion provided that the same is relevant to the question at issue, that it does not raise a question already decided or anticipate any question embraced in a resolution on the agenda paper for the day and that it is couched in proper language and is not, antagonistic to the fundamental principles of the Congress. Every amendment must be in the form of a proposition complete in itself.

15. When amendments are moved to a motion, they shall be put to the vote in the reverse order to that in which they have been moved.

16. A motion for an adjournment of the debate on a proposition may be made at any time and so also, with the consent of the President or Chairman, a motion for the adjournment of the House. The President or Chairman shall have the power to decline to put to vote any motion for adjournment if he considers it to be vexatious or obstructive or an abuse of the rules and regulations.

17. All motions, substantive or by way of amendment, adjournment, etc., shall have to be seconded, failing which they shall fail. No motions, whether those coming under Rule 11 (b) or for amendment, adjournment, closure etc., shall be allowed to be moved unless timely intimation thereof is

sent to the President with the motion clearly stated in writing over the signatures of the proposer and seccnder with the name of the Province from which they have been elected as Delegates.

18. No one who has taken part in the debate in the Congress on a resolution, shall be allowed to move or second a motion for adjournment or amendment in the course of the debate on that Resolution. If a motion for adjournment of the debate on any proposition is carried, the debate on the said proposition shall then cease and may be resumed only after the business on the agenda paper for the day is finished. A motion for adjournment of the House shall state definitely the time when the House is to resume business.

19. A motion for a closure of the debate on a proposition may be moved at any time after the lapse of half-an-hour from the time the proposition was moved; and if such motion for closure is carried, all discussion upon the original proposition or amendments proposed to it, shall at once stop and the President shall proceed to take votes.

20. No motion for a closure of the debate shall be moved whilst a speaker is duly in possession of the House.

21. All questions shall be decided by a majority of votes, subject, however, to the provisions of Articles XXVII and XXX of the Constitution. Votes shall ordinarily be taken by a show of hands or by the Delegates for or against standing up in their places in turn to have the numbers counted.

22. In cases not falling under Article XXX of the Constitution, any twenty members of a Congress sitting may demand a division within five minutes of the declaration of the result of the voting by the President and such division shall be granted. Thereupon the Delegates of each Province shall meet at such time and place as the President may direct and the Chairman of each such meeting shall notify to the President

the vote of the Province within the time specified by the President.

23. Every member of a sitting of the Congress or of the Subjects Committee shall be bound (a) to occupy a seat in the block allotted to his province, save as provided for in Rule 30, (b) to maintain silence when the President rises to speak or when another member is in possession of the House, (c) to refrain from hisses or interruptions of any kind or indulgence in improper and un-parliamentary language, (d) to obey the Chair, (e) to withdraw when his own conduct is under debate, after he has heard the charge and been heard thereon, and (f) generally to conduct himself with propriety and decorum.

24. No member shall have the right at a Congress sitting to speak more than once on any motion except for a personal explanation or for raising a point or order. But the mover of a substantive motion (not one for amendment or adjournment) shall have the right of reply. A person who has taken part in a debate may speak upon an amendment or motion for adjournment moved after he had spoken. The President or Chairman shall have the right to fix a time-limit upon all speakers, as also to call or order or stop any speaker from further continuing his speech even before the time-limit expires, if he is guilty of tedious repetitions, improper expressions, irrelevant remarks, etc. and persists in them in spite of the warning from the President.

25. If a person does not obey the President's or the Chairman's orders or if he is guilty of disorderly conduct, the President shall have the right, with a warning in the first instance, and without a warning in case of contumacious disregard of his authority, to ask such member to leave the precincts of the House, and on such requisition, the member so ordered shall be bound to withdraw and shall be suspended from his functions as a member during the day's sitting.

26. If the President considers that the punishment he can inflict according to the foregoing section is not sufficient, he may, in addition to it, ask the House to award such punishment as the House deems proper. The Congress shall have the power in such cases of expelling the member from the entire Congress session.

27. The Reception Committee shall organise a body of such persons as it may deem fit for the purpose of keeping order during the meeting of the Congress or of its Subjects Committee or at divisions. There shall be a Captain at the head of this body and he shall carry out the orders of the President or the Chairman.

28. Visitors may be allowed at the sitting of the Congress on such terms and conditions as the Reception Committee determines. They may, at any time, be asked to withdraw by the President. They shall be liable to be summarily ejected from the House if they enter the area marked out for the delegates, or if they disobey the Chair, or if they are guilty of disturbance or obstruction, or if they are in anywise disorderly in their behaviour.

29. The meetings of the Subjects Committee shall be open only to the member of that Committee and the meetings of the Delegates of each Province at divisions shall be open to the Delegates of that Province only, subject in either case to the Provisions of Rule 27.

30. The Chairman of the Reception Committee and the President, as well as the Secretaries may, at their discretion, accommodate on the Presidential platform, (1) Leading members of the Congress, (2) Distinguished Visitors, (3) Members of the Reception Committee and (4) Ladies, whether Delegates or visitors.

31. The foregoing Rules shall apply, *mutatis mutandis*, to the Provincial or District Conferences organised by the Provincial

Congress Committees as provided for in Article VI of the Constitution.

This very elaborate and exhaustive draft was duly accepted by the next session of the Congress held at Madras in December 1908. It is important to note that in the main the provisions of this constitution have been retained ever since.

CHAPTER IV

THE AMENDMENTS OF 1915 (1915-1919)

The organisational activities of the Congress were carried on under the 1908 Constitution for nearly seven years when it was found necessary to make certain changes. The 30th Session of the Congress which met in Bombay amended some clauses of the Constitution mainly relating to the right of political bodies or associations to send delegates to the Congress Sessions. The amendments formally recognised the right of any public body or association approved by the Congress as such to hold one meeting each for the purpose of electing not more than fifteen delegates. This was in effect meant as a concession to the extremist group led by Lokmanya Tilak which had left the Congress after the Surat split. It served the purpose for which it was intended, for, it enabled Tilak to advise his followers to re-enter the Congress which they did the very next year. The amendments made in 1915 have therefore an historical importance in that they healed the grievous wounds inflicted on the Congress organisation at Surat and brought about a reconciliation and unity which stood it in good stead during the difficult years that followed.

The Constitution of the Congress as amended in 1915 had thirty Articles. The amended Articles of the Constitution are given below:—

CONSTITUTION OF THE INDIAN NATIONAL CONGRESS ORGANISATION

(as amended at the 30th Indian National Congress, 1915, Bombay).

Component Parts of the Organisation

Article IV

The Indian National Congress Organisation will consist of :

- (a) The Indian National Congress;
- (b) Provincial Congress Committees;
- (c) District Congress Committees;
- (d) Sub-divisional or taluka Congress Committees, affiliated to the District Congress Committees;
- (e) Political Associations or Public Bodies recognised by the Provincial Congress Committees;
- (f) The All-India Congress Committee
- (g) The British Committee of the Congress; and
- (h) Bodies formed or organised periodically by a Provincial Congress Committee, such as the Provincial or District Conferences or the Reception Committee of the Congress or Conference for the year.

Article V

No person shall be eligible to be a member of any of the Provincial or District or other Congress Committees unless he has attained the age of 21 and expresses in writing his acceptance of the objects of the Congress as laid down in Article I of this Constitution and his willingness to abide by this Constitution and by the Rules of the Congress hereto appended.

Provincial Congress Committees

Article VI

To act for the Province in Congress matters and for organising Provincial or District Conferences in such manner as it may deem proper, there shall be a Provincial Congress Committee with its headquarters at the chief town of the Province in each of the following nine Provinces:—

1. Madras ; 2. Bombay ; 3. Bengal ; 4. United Provinces,
5. Punjab (including N. W. Frontier Province) ; 6. Central Provinces ; 7. Bihar and Orissa ; 8. Berar, and 9. Burma.

For this purpose Coorg and the areas administered by the British Government in the Nizam's Dominions, Mysore, Travancore and Cochin, shall belong to Madras; similar areas in Baroda and Kathiawar and Southern Maratha States to Bombay ; Assam to Bengal ; Delhi, Ajmer- Merwara, and the areas administered by the British Government in Rajputana to the United Provinces ; British Baluchistan to the Punjab ; areas administered by the British Government in Central India to the Central Provinces.

Article VII

Every Provincial Congress Committee will consist of :

- (a) Such persons in the Province as may have attended as many sessions of the Congress as Delegates as may be determined by each Provincial Congress Committee for its own Province ;
- (b) Representatives elected in accordance with its terms of affiliation by every affiliated District Congress Committee ;
- (c) As many representatives of recognised Political Associations or Public Bodies referred to in clause (e) of Article IV as each Provincial Committee may think fit to determine ;

- (d) All such Ex-Presidents of the Congress or Ex-Chairman of Reception Committees of the Congress as ordinarily reside within the jurisdiction of the Provincial Congress Committee and may not have been enrolled as members of the said Committee in accordance with clause (b) of Article VI of the Constitution of 1908 or by virtue of the provisions contained in any of the foregoing clauses of this Article ;
- (e) The General Secretary or Secretaries of the Congress ordinarily residing within the jurisdiction of the Provincial Congress Committee, such General Secretary or Secretaries being added as ex-officio member or members of the said Committee.

The All-India Congress Committee

Article XIII

The All-India Congress Committee shall, as far as possible, be constituted as hereinbelow laid down :—

	15	Representatives of Madras ;
	15	" Bombay ;
	20	" Bengal ;
	15	" United Provinces ;
	13	" Punjab (including N. W. Frontier Province) ;
	7	" Central Provinces ;
	15	" Behar and Orissa ;
	5	" Berar ;
and	2	" Burma ;

provided, as far as possible, that one-fifth of the total number of representatives shall be Mohamedans.

All Ex-Presidents of the Congress, residing or present in India, and the General Secretaries of the Congress, who shall also be ex-officio members in addition.

Article XVII

(a) The All-India Congress Committee so constituted shall hold office from the date of its appointment at the Congress till the appointment of the new Committee.

(b) If any vacancy arises by death, resignation or otherwise, the remaining members of the Province in respect of which the vacancy has arisen, shall be competent to fill it up for the remaining period.

Electorates and Delegates*Article XX*

The right of electing Delegates to the Indian National Congress shall vest in (1) the British Committee of the Congress, (2) Provincial or District or other Congress Committees or Associations formed or affiliated as hereinabove laid down, (3) such Political Associations or Public Bodies of more than two years' standing as may be recognised in that behalf by the Provincial Congress Committee of the Provinces to which the Political Association or public Body belongs, (4) Political Associations of British Indians resident outside British India of more than two years' standing recognised by the All-India Congress Committee, (5) Public Meetings convened by the Provincial or District Congress Committees or other recognised bodies, and (6) Public Meetings convened under the auspices of any Association, which is of not less than two years' standing on the 31st December 1915 and which has, as one of its objects, the attainment of self-Government by India on Colonial lines within the British Empire by constitutional means ;

Provided

(a) That the said Association by a special resolution accepts Article I of the Congress Constitution and notifies to that effect to the Provincial Congress Committee of the Province to which it belongs.

(b) That the said Association makes the acceptance of the said Article I a condition precedent to new membership.

(c) That the total number of the delegates to be elected by such public meeting shall not exceed 15 in number and no such Association shall be entitled to call more than one public meeting for the said purposes for any one session of the Congress.

But this however will be subject to the right of the All-India Congress Committee to disqualify any such political Association or Body at any time.

Explanation : No person elected as a Delegate need be a member of any Congress Committee if he is otherwise qualified.

Article XXI

All Delegates to the Indian National Congress shall pay a fee of Rs. 10 each and shall be not less than 31 years of age at the date of election.

Reception Committee of the Congress

Article XXII

(a) The Provincial Congress Committee of the Province in which the Congress is to be held shall take steps to form a Reception Committee for the Congress. Everyone, who ordinarily resides in the Province, fulfils the conditions laid down in Article V of this Constitution and pays such contribution as may be determined by the Provincial Congress Committee, shall be eligible to be a member of the Reception Committee.

(b) No one, who is only a member of the Reception Committee but not a Delegate, shall be allowed to vote or take part in the debate at the Congress.

(c) The Reception Committee shall be bound to provide the necessary funds for meeting all the expenses of the Congress as also the cost of preparing printing, publishing and distributing the Report of the Congress.

Election of the President

Article XXIII

(a) The several Provincial Congress Committees shall, as far as possible by the end of June, suggest to the Reception Committee the names of persons who are in their opinion eligible for the Presidentship of the Congress, and Reception Committee shall, as far as possible, in the first week of July submit to all the Provincial Congress Committees the names as suggested for their final recommendation, provided that such final recommendation will be of any one, but not more, of such names, and the Reception Committee shall, as far as possible, meet in the month of August to consider such recommendations. If the person recommended by a majority of the Provincial Congress Committees is accepted by a majority of the members of the Reception Committee present at a special meeting called for the purpose, that person shall be the President of the next Congress. If, however, the Reception Committee is unable to accept the President recommended by the Provincial Congress Committee or, in case of emergency by resignation, death, or otherwise of the President elected in this manner, the matter shall forthwith be referred by it to the All-India Congress Committee, whose decision shall be arrived at, as far as possible, before the end of September. In either case, the election shall be final, provided that in no case shall the person so elected President belong to the Province in which the Congress is to be held.

(b) There shall be no formal election of the President by or in the Congress but merely the adoption (in accordance with the provisions in that behalf laid down in Rule 3 Clause (b) of

the "Rules" hereto appended) of a formal resolution requesting the President, already elected in the manner hereinabove laid down, to take the chair.

Subjects Committee

Article XXIV

The Subjects Committee to be appointed at each session of the Congress to settle its programme of business to be transacted shall, as far as possible, consist of :—

Not more than 15 representatives of Madras ;			
„	„	15	„ Bombay ;
„	„	20	„ Bengal ;
„	„	15	„ United Provinces ;
„	„	13	„ Punjab (including N. W. Frontier Province) ;
„	„	7	„ Central Provinces ;
„	„	15	„ Bihar and Orissa ;
„	„	5	„ Berar ;
„	„	2	„ Burma ;
„	„	5	„ British Committee of the Congress ;

and additional 10 representatives of the Province in which the Congress is held.

All the above-mentioned representatives being elected, in accordance with Rule 9 of the "Rules" hereto appended, by the Delegates, attending the Congress from the respective Provinces.

The President of the Congress for the year, the Chairman of the year, all ex-Presidents of the Congress and ex-Chairmen of Reception Committees, the General Secretaries of the Congress, the local Secretaries of the Congress for the year, not exceeding six in number and all the members of the All-India Congress Committee for the year, shall in addition be ex-officio members of the Subjects Committee.

Article XXV

The President of the Congress for the year shall be ex-officio Chairman of the Subjects Committee and he may nominate 5 Delegates to the Subjects Committee to represent minorities or to make up such deficiencies as he may think necessary.

Contentious Subjects and Interest of Minorities*Article XXVI*

(a) No subject shall be passed for discussion by the Subjects Committee or allowed to be discussed at any Congress by the President thereof, to the introduction of which the Hindu or Mahomedan Delegates, as a body, object by a majority of three-fourths of their number, and if, after the discussion of any subject, which has been admitted for discussion, it shall appear that the Hindu or Mahomedan Delegates, as a body, are, by a majority of three-fourths of their number, opposed to the resolution which it is proposed to pass thereon, such resolution shall be dropped; provided that in both these cases the three-fourths mentioned above shall not be less than a one-fourth of the total number of Delegates assembled at the Congress.

(b) In any representations which the Congress may make or in any demands which it may put forward for the large association of the people of India with the administration of the country, the interests of minorities shall be duly safeguarded.

The British Committee of the Congress*Article XXVIII*

The Reception Committee of the Province, in which the Congress is held, shall remit to the British Committee of the Congress, through the General Secretaries of the Congress, the amount of the fees received by it from Delegates, subject to a minimum of Rs. 3,000 (Rupees three thousand).

General Secretaries

Article XXIX

(a) The Indian National Congress shall have two General Secretaries who shall be annually elected by the Congress. They shall be responsible for the preparation, publication and distribution of the Report of the Congress and they shall submit a full account of the funds which may come into their hands and a Report of the work of the year to the All-India Congress Committee at a meeting to be held at the place and about the time of the session of the Congress for the year ; and copies of such account and report shall be sent to all the Provincial Congress Committees and be presented to the Congress.

(b) The All-India Congress Committee shall make adequate provision for the expenses of the work devolving on the General Secretaries, either out of the surplus at the disposal of the Reception Committee or by calling upon the Provincial Congress Committees to make such contributions as it may deem fit to apportion among them.

Practically no change was made in the Rules passed in 1908.

CHAPTER V

THE NAGPUR CONSTITUTION (1920)

Perhaps the most important landmark in the history of the Congress Constitution was the Nagpur Session of the Congress at which the whole Constitution was practically recast. Mahatma Gandhi had already become a potent force in the Congress and in Indian politics, and in 1920 when the Congress met at Nagpur, the rumblings of the first non-cooperation movement were already being heard. Gandhiji sought to give this movement a mass basis and wanted to widen the base of the Congress organisation in order to suit the changed circumstances. The Congress, although it was the most progressive and representative body of the Indian people, was to some extent circumscribed in its range of interests and activities. It was for all practical purposes an organisation of intellectuals and people belonging to the upper strata of society. The masses in their lakhs whose will, in the ultimate analysis, constituted the sanction behind the whole organisation, had as yet no place in it.

Gandhiji and other leaders felt that the time had come to revitalise the Congress organisation if it was to be an effective instrument in the hands of the Indian people in their fight against foreign rule. And so a small Committee of five was appointed to redraft the whole Constitution. This Committee, while it retained

the basic framework, made some very important changes in the body of the Constitution. The object was redefined as the attainment of Swaraj—a word coined by Lokmanya Tilak—by all peaceful and legitimate means. Provincial organisations were formed on a linguistic basis for the first time in Indian history, thus creating 21 provinces including two city provinces of Delhi and Bombay and the province of Burma which was then part of India. The Congress Working Committee, which subsequently became the most powerful body in the Congress organisational structure as well as in Indian political life, came into existence. The strength of the A. I. C. C. was raised to 350. The number of delegates was to be in proportion of one to fifty thousand of the population. Thus the base of the Congress was widened and a pyramidal structure was built up with the Working Committee at the top and the Primary Members paying a four-anna annual subscription at the bottom. It now became possible to organise Congress Committees in every village.

The new constitution consisting of thirtyone articles, including a final repealing article and two appendices, was approved by the 35th Session of the Indian National Congress held at Nagpur. Following is the full text of the Constitution :—

CONSTITUTION OF THE INDIAN NATIONAL CONGRESS

Object

*Article I**

The object of the Indian National Congress is the attainment of Swarajya by the people of India by all legitimate and peaceful means.

Sessions of the Congress

Article II

(a) The Indian National Congress shall ordinarily meet once every year during Christmas holidays at such place as may have been decided upon at its previous session, or such other place as may have been determined by the All-India Congress Committee hereinafter referred to.

(b) An extraordinary session of the Congress may be summoned by the All-India Congress Committee either on its own motion or on the requisition of a majority of the Provincial Congress Committees, wherever it may deem it advisable to hold such a session ; and the articles of this Constitution shall apply with such modifications as the All-India Congress Committee may consider necessary in respect of each such session.

Component Parts of the Congress

Article III

The Indian National Congress organisation shall consist of the following :

(a) The Indian National Congress

(b) Provincial Congress Committees

* This was passed as Resolution No. 1.

- (c) District Congress Committees
- (d) Sub-divisional, Taluqa or Tahsil, Firka or other local Congress Committees
- (e) The All-India Congress Committee
- (f) Such other committees outside India as may from time to time be recognised by the Congress in this behalf
- (g) Bodies formed or organised periodically by the Provincial, District, Taluqa or Tahsil, or other Local Congress such as the Reception Committee of the Congress and the Provincial, District, Taluqa or Tahsil, or other local Conferences.

Membership

Article IV

No person shall be eligible to be a member of any of the organisations referred to in the foregoing article, unless he or she has obtained the age of 21 and expresses in writing his or her acceptance of the object and the methods as laid down in Article I of this Constitution and of the rules of the Congress.

Provincial Congress Committees

Article V

The following shall be the provinces with headquarters mentioned against them, and where no headquarters are mentioned, and in every case, the respective Provincial Congress Committees shall have the power to fix or alter them from time to time.

PROVINCE	HEADQUARTERS
(1) Madras (Tamil)	Madras
(2) Andhra (Telugu)	
(3) Karnatak (Kannada)	Gadag
(4) Kerala (Malayalam)	Calicut

(5) City of Bombay (Marathi & Gujarati)	Bombay
(6) Maharashtra (Marathi)	Poona
(7) Gujarat (Gujarati)	Ahmedabad
(8) Sindh (Sindhi)	
(9) United Provinces (Hindustani)	Allahabad
(10) Punjab (Punjabi)	Lahore
(11) N. W. Frontier Province (Hindustani)	Peshawar
(12) Delhi (Hindustani)	Delhi
(13) Ajmer—Merwara and Rajputana (Hindustani)	Ajmer
(14) Central Provinces (Hindustani)	Jubbulpore
(15) Central Provinces (Marathi)	Nagpur
(16) Berar (Marathi)	Amraoti
(17) Bihar (Hindustani)	Patna
(18) Utkal (<i>Orissa</i>) (Oriya)	
(19) Bengal and Surma Valley (Bengali)	Calcutta
(20) Assam (Assamese)	Gauhati
(21) Burma (Burmese)	Rangoon.

Provided that the All-India Congress Committee may from time to time assign particular Indian States to particular provinces, and a Provincial Congress Committee may in its turn allot particular Indian States, assigned to it by the All-India Congress Committee, to particular districts within its jurisdiction.

The existing Provincial Congress Committees shall forthwith proceed to reorganise themselves in terms of this constitution and such reorganisation shall be final unless and until it is revised by the All-India Congress Committee.

Provincial Organisations

Article VI

(a) There shall be a Provincial Congress Committee for each of the provinces named in the foregoing article.

(b) Each Provincial Congress Committee shall organise District and other Committees referred to in Article III, and shall have the power to frame rules laying down conditions of membership and for the conduct of business not inconsistent with this constitution or any rules made by the All-India Congress Committee.

(c) Each Provincial Congress Committee shall consist of representatives elected annually by the members of the District and other Committees in accordance with the rules made by the Provincial Congress Committee.

Franchise

Article VII

Every person not disqualified under Article IV and paying a subscription of 4 annas per year, shall be entitled to become a member of any organisation controlled by the Provincial Congress Committee.

Electorate and Delegates

Article VIII

Each Provincial Congress Committee shall be responsible for the election of delegates to the Congress.

No one shall be qualified for election who is not of the age of 21 years, and who does not subscribe to the Congress creed.

The number of delegates shall be not more than one for every 50 thousand or its fraction of the inhabitants of the province of its jurisdiction including the Indian States therein, in accordance with the last census ; provided, however, that the inclusion

of Indian States in the electorate shall not be taken to include any interference by the Congress with the internal affairs of such States.

Each Provincial Congress Committee shall frame rules for the election of delegates, due regard being had to the return of women delegates and representation of minorities, special interests or classes needing special protection.

The rules shall provide for the organization of electorates and shall prescribe the procedure to be adopted for securing the proportional representation (by a single transferable vote) of every variety of political opinion.

The rules framed by each Provincial Congress Committee shall be sent to the General Secretaries of the Congress not later than the 30th April 1921, which rules shall be published for general information by the Secretaries as soon as possible after the receipt thereof.

Each Provincial Congress Committee shall send to the Reception Committee of the ensuing session of the Congress an alphabetical list of the delegates so elected containing the full name, occupation, age, sex, religion and address of each of them to reach the Committee not later than the 15th day of December every year, and in the case of an extraordinary session, not later than ten days before the date advertised for the holding of such session.

Article IX

(a) Each Provincial Congress Committee shall pay annually such subscription to the All-India Congress Committee as may be fixed by the latter from time to time.

(b) No member of a Congress Committee shall vote at the election of representatives or delegates, or be elected as such, unless and until he has paid the subscription due from him.

Delegation

Article X

Each Committee referred to in Article VIII shall issue certificates to the delegates duly elected in accordance with the form hereto attached (marked Appendix) A and signed by a Secretary of the Committee.

Delegates' Fee

Article XI

Every delegate on presenting such a certificate and paying a fee of Rs. 10/- at the Congress Office shall receive a ticket entitling him to admission to the Congress.

Voting at Congress

Article XII

Delegates shall alone have the power of voting at the Congress sittings or otherwise taking part in its deliberations.

Reception Committee

Article XIII

The Reception Committee shall be formed by the Provincial Congress Committee at least six months before the meeting of the annual session and may include persons who are not members of the Provincial Congress Committee. The members of the Reception Committee shall pay not less than Rs. 25 each.

Article XIV

The Reception Committee shall elect its Chairman and other office-bearers from amongst its own members.

Article XV

It shall be the duty of the Reception Committee to collect funds for the expenses of the Congress Session to elect the

President of the Congress in the manner set forth in the following article, and to make all necessary arrangements for the reception and accommodation of delegates and guests and, as far as practicable, of visitors, and for the printing and publication of the report of the proceedings, and to submit statements of receipts and expenditure to the Provincial Congress Committee within 4 months of the session of the Congress.

Election of the President

Article XVI

The several Provincial Congress Committees shall, as far as possible by the end of June, suggest to the Reception Committee the names of persons who are in their opinion eligible for the Presidentship of the Congress, and the Reception Committee shall, as far as possible, in the first week of July, submit to all the Provincial Committees the names as suggested for their final recommendations, provided that such final recommendation will be of any one but not more, of such names; and the Reception Committee, shall, as far as possible, meet in the month of August to consider such recommendations. If the person recommended by a majority of the Provincial Congress Committees is adopted by a majority of the members of the Reception Committee present at a special meeting, called for the purpose, that person shall be the President of the next Congress. If, however, the Reception Committee is unable to accept the President recommended by the Provincial Congress Committees or in case of emergency by resignation, death or otherwise of the President elected in this manner, the matter shall forthwith be referred by it to the All-India Congress Committee whose decision shall be arrived at, as far as possible, before the end of September. In either case the election shall be final, provided that in no case shall the person so elected as President belong to the Province in which the Congress is to be held.

The President of a special or extraordinary session shall be elected by the All-India Congress Committee subject to the same proviso.

Congress Funds

Article XVII

(a) The Reception Committee shall, through the Provincial Congress Committee of the province, remit to the All-India Congress Committee, not later than two weeks after the termination of the Congress session, ordinary or extraordinary, half the delegation fees.

(b) If the Reception Committee has a balance after defraying all the expenses of the session, it shall hand over the same to the Provincial Congress Committee in the province in which the session was held towards the Provincial Congress fund of that province.

Audit

Article XVIII

The receipts and expenditure of the Reception Committee shall be audited by an auditor or auditors appointed by the Provincial Congress Committee concerned, and the statement of accounts together with the auditor's report shall be sent by the Provincial Congress Committee not later than six months from the termination of the Congress to the All-India Congress Committee.

All India Congress Committee

Article XIX

The All-India Congress Committee shall consist of 350 members exclusive of ex-officio members. The ex-officio members shall be past Presidents of the Congress and General Secretaries and Treasurers of the Congress.

Each Provincial Congress Committee shall elect the allotted number of members of the All-India Congress Committee from among the members of the Congress Committees within its jurisdiction.

The allotment shall be on the basis of population according to linguistic re-distribution of provinces, or in such other manner as may appear more equitable to the All-India Congress Committee, and shall be published by the All-India Congress Committee before the 31st day of January 1921.

The method of election shall be the same as already prescribed for the election of delegates.

Election to the All-India Congress Committee shall ordinarily take place in the month of November.

The first All-India Congress Committee under this Constitution shall be elected on or before the 30th of June 1921. Till then, the members of the All-India Congress Committee recently elected shall continue in office.

The All-India Congress Committee shall meet as often as may be necessary for the discharge of its obligations and every time upon requisition by 15 members thereof who shall state in their requisition the definite purpose for which they desire a meeting of the All-India Congress Committee.

The All-India Congress Committee shall hold office till election of the new All-India Congress Committee.

Article XX

The Secretaries of the respective Provincial Congress Committees shall issue certificates of membership of the All-India Committee to the person so elected.

Function of A. I. C. C.*Article XXI*

The All-India Congress Committee shall be the Committee of the Congress to carry out the programme of work laid down by the Congress from year to year, and deal with all new matters that may arise during the year and may not be provided for by the Congress itself. For this purpose, the All-India Congress Committee shall have the power to frame its own rules not inconsistent with this Constitution.

Article XXII

The President of the Congress shall be the Chairman of the All-India Congress Committee for the year following.

General Secretaries*Article XXIII*

The Indian National Congress shall have three General Secretaries, who shall be annually elected by the Congress. They shall prepare the report of the work of the All-India Congress Committee during the year and submit it, with a full account of the funds which may come into their hands, to the All-India Congress Committee at a meeting to be held at the place and about the time of the session of the Congress for the year ; and copies of such account and report shall then be presented to the Congress and sent to the Congress Committees.

Article XXIV

The All-India Congress Committee shall at its first meeting appoint a Working Committee consisting of the President, the General Secretaries, the Treasurers and 9 other members, which shall perform such functions as may be delegated to it from time to time by the All-India Congress Committee.

Subjects Committee*Article XXV*

The members of the All-India Congress Committee shall constitute the Subjects Committee for the ordinary or extraordinary session following.

Article XXVI

The Subjects Committee shall meet at least two days before the meeting of the Congress in open session. At this meeting, the President-elect shall preside and the outgoing Secretaries shall submit the draft programme of the work for the ensuing sessions of the Congress, including resolutions recommended by the different Provincial Congress Committees for adoption.

Article XXVII

The Subjects Committee shall proceed to discuss the said programme and shall frame resolutions to be submitted to the open session.

Article XXVIII

The Subjects Committee shall also meet from time to time as the occasion may require during the pendency of the Congress session.

Contentious Subjects and Interests of Minorities*Article XXIX*

No subject shall be passed for discussion by the Subjects Committee or allowed to be discussed at any Congress by the President thereof, to the introduction of which the Hindu or Mahomedan delegates, as a body, object by a majority of three-fourths of their number, and if, after the discussion of any subject which has been admitted for discussion, it shall appear that the Hindu or Mahomedan delegates, as a body, are, by a majority of

three-fourths of their number, opposed to the resolution which it is proposed to pass thereon, such resolution shall be dropped.

Article XXX

The All-India Congress Committee shall have the power to frame rules in respect of all matters not covered by the Constitution and not inconsistent with its Articles.

Article XXXI

The Articles and the Creed of the Constitution now in force are hereby repealed without prejudice to all acts done thereunder.

(Resolution XVIII, 26th—31st December 1920).

APPENDIX A

(Vide Art. X of the Constitution)

I hereby certify that

Full name.....
 Occupation.....
 Age.....Sex.....
 Religion.....
 Address.....
 is a member of the.....
 Congress Committee and has been duly elected by
Congress Committee
 as a delegate to the Indian National Congress to be held
 at.....in the month of.....

Secretary,

.....Congress Committee.

APPENDIX B

(Number of members allotted by the All-India Congress Committee in accordance with Article XIX)

<i>Province</i>	<i>No. of Members</i>	
Madras	...	25
Andhra	...	20
Karnatak	...	16
Kerala	...	8
City of Bombay	...	7
Maharashtra	...	16
Gujarat	...	12
Sindh	...	9
United Provinces	...	52
Punjab	...	33
N. W. Frontier Province	...	2
Delhi	...	5
Ajmer	...	7
Central Provinces (Hindustani)	...	10
Central Provinces (Marathi)	...	10
Berar	...	6
Bihar	...	36
Utkal	...	7
Bengal and Surma Valley	...	52
Assam	...	5
Burma	...	12

350

CHAPTER VI

FURTHER REVISION OF THE CONSTITUTION

(1921--1933)

The Nagpur Constitution had a fairly long lease of life in that it remained the basis of all Congress activities for nearly 15 years throughout, perhaps, the most crucial period of modern Indian history. This period saw the birth and growth of the Satyagraha movement and three successive Civil Disobedience campaigns under the leadership of Mahatma Gandhi—an agitation which shook the very foundations of the British Empire. There were however some amendments important in themselves—the most significant being the change made in the objective at the Lahore Congress (1929).

The 36th Congress which met in Ahmedabad made an important change regarding the age of admission to Congress membership. From 21 years it was brought down to 18. This was another attempt at broad-basing the organization. This and some other routine amendments made in 1921 are given below :

1. In Article IV instead of “the age of 21”, read “the age of 18”.

2. At the end of Article VII, add “provided that no person shall become a member of two parallel Congress organizations at one and the same time”.

3. At the end of clause 3, Article VIII, add "the members of the All-India Congress Committee shall be ex-officio delegates to the Congress, the Provincial Congress Committees deducting the number of elected and, if any, the ex-officio members of the All-India Congress Committee in their province, from the number of delegates they are entitled to return".

4. In clause 5, Article VIII, remove the brackets and after "a single transferable vote" add "or by any other method".

5. In clause 2, of Article XIX, after "shall be" add "the elected President".

6. In the clause after "past Presidents of the Congress" add "if they sign the Congress creed and are members of any Congress organization".

7. In Article XXIII, after "the General Secretaries" add "and two Treasurers", and in the beginning of the second sentence, instead of the word "they" read "the General Secretaries".

(Resolution XI, 27th and 28th December 1921).

The special session of the Congress which met in Delhi in 1923 appointed a Committee of five* to revise the Constitution and rules further and to report to the Cocanada session which was held in the same year (Resolution VII — 15th to 19th September, 1923). But it was only in Belgaum where the Congress held its 39th session that the revision actually took place. Gandhiji now introduced what is known as the yarn franchise, whereby only a person who spun 2,000 yards of yarn could become a member of the Congress. Further, only those who habitually wore hand-spun

* George Joseph, Jawaharlal Nehru, Subhas Chandra Bose, Pattabhi Sitaramayya, P. D. Tandon.

and hand-woven khaddar were entitled to be delegates to the Congress. The resolution on the subject said :

The present Article VII of the Constitution to be repealed and the following to be substituted therefor :

(i) Every person not disqualified under Article IV shall be entitled to become a member of any primary organization controlled by the Provincial Congress Committee, provided that no one shall be a member of any Congress Committee or organization who does not wear hand-spun and hand-woven khaddar at political and Congress functions or while engaged in Congress business, and does not make a contribution of 24,000 yards of evenly spun yarn per year of his or her own spinning, or in case of illness, unwillingness or any such cause, the same quantity of yarn spun by any other person ; provided also that no person shall be a member of two parallel Congress organisations at one and the same time.

(ii) The year of the membership shall be reckoned from 1st January to 31st December. The said subscription shall be payable in advance and may be paid in instalments of 2,000 yards per month payable in advance. Members joining in the middle of the year shall contribute the full quantity due from the beginning of the year.

Transitory Provision : During 1925, the subscription shall be 20,000 yards only and shall be payable on or before 1st March or in instalments as aforesaid.

(iii) No person shall be entitled to vote at the election of representatives or delegates or any committee or sub-committee of any Congress organization whatsoever, or to be elected as such, or to take part in any meetings of the Congress or any Congress organization or any committee or sub-committee thereof, if he has not contributed the yarn subscription or the instalments due.

Any member who has made default in the payment of the yarn subscription may have his or her rights restored by paying the subscription in respect of which the default has occurred and the instalment for the month then current.

(11) Every Provincial Congress Committee shall send to the General Secretary, All-India Congress Committee, from month to month, returns of membership and of the yarn received by it in virtue of this Article. The Provincial Congress Committee shall contribute 10% of the yarn subscription or their value to the All-India Congress Committee.

Delete Article VI (c) and Article IX (b) of the Constitution.

(Resolution II (B & C), 26th and 27th December, 1924).

It is clear that this was a serious attempt to make the Congress a well-knit body of workers who believed in the Gandhian way of life. It was however not found workable in practice and gave rise to innumerable difficulties in its application. It was therefore modified by the meeting of the A. I. C. C. held at Patna in 1925 and the yarn franchise was made optional. But the clause regarding the habitual wearing of khaddar was retained.

The relevant Resolution says :

In view of the fact that there is a demand from a considerable section in the Congress for a revision of the franchise and there is a general consensus of opinion that having regard to the present situation the franchise should be extended, the All-India Congress Committee resolves that Article VII of the Congress Constitution be repealed and replaced by the following :

(i) Every person not disqualified under Article IV and paying a subscription of 4 annas per year in advance, or 2,000 yards of

evenly spun yarn of his or her own spinning, shall be entitled to become a member of any primary organisation controlled by a Provincial Congress Committee ; provided that no person shall be a member of two parallel Congress organisations at one and the same time.

(ii) The yarn subscription mentioned in sub-section (i) shall be sent direct by the spinner to the Secretary, All-India Spinners' Association or to any person nominated by the Secretary in this behalf, and a certificate from the Secretary, All-India Spinners' Association to the effect that he has received 2,000 yards of evenly spun yarn of the holder's own spinning as his or her yearly subscription, shall entitle the holder to the membership mentioned in sub-section (i) hereof. Provided that for the purpose of checking the accuracy of the returns made by the All-India Spinners' Association, the All-India Congress Committee or any Provincial Committee or any sub-Committee thereunder shall have the right to inspect the accounts, the stock and the vouchers of the All-India Spinners' Association or any subordinate organisation thereunder and provided further that in the event of any inaccuracy or error discovered by the inspecting body in the accounts, stock or vouchers examined, the certificates issued by the All-India Spinners' Association in respect of persons with reference to whose membership the accounts have been examined, shall be declared cancelled, provided that the All-India Spinners' Association or the person disqualified shall have the right of appeal to the Working Committee. Any person wishing to spin for the membership of the Congress may, if he or she desires, be supplied upon due security with cotton for spinning.

(iii) The year of the membership shall be reckoned from the 1st January to 31st December and there shall be no reduction in the subscription to be paid by members joining in the middle of the year.

(iv) No person shall be entitled to vote at the election of representatives or delegates or any committee or sub-committee

or any Congress organisation whatsoever, or to be elected as such, or to take part in any meeting of the Congress or Congress organisation, or any committee or sub-committee thereof, if he has not complied with sub-section (i) hereof or does not wear hand-spun and hand-woven khaddar at political and Congress functions or while engaged in Congress business. The Congress expects Congressmen to wear khaddar also on all other occasions, and in no case to use or wear foreign cloth.

(Part A of Resolution I of the A. I. C. C., September, 1924).

The annual Congress Session held in Cawnpore the same year passed a resolution approving these changes (Resolution VI, 1924). Later at the Gauhati Congress in 1926, the wearing of khadi which was certified as khadi by the A. I. S. A. was made compulsory for delegates and office-bearers of Congress committees. It was further laid down that the members of the A. I. C. C. shall be ex-officio delegates to the Congress. An annual fee of Rs. 10/- was levied on every member of the A. I. C. C. in 1927.

The 1928 session held in Calcutta made a few more changes in the Congress Constitution. One amendment to Article III (f) authorised the A. I. C. C. to affiliate committees outside India. The number of General Secretaries was reduced from three to two and a permanent fund for Congress created. These changes were based on the recommendations of a Committee appointed by the A. I. C. C. earlier and which had submitted a report in October, 1928.

A sweeping change was made in the creed of the Congress in 1929. The famous "Complete Independence".

resolution of the Lahore Congress declared that the word "Swarajya" in Article I of the Congress Constitution shall mean complete independence. "Purna Swarajya", meaning severance of connection with the British Empire, became the new objective of the Indian National Congress. The political events of 1927 and 1928, the holding of the All-Parties Conference, the drawing up of a Dominion Constitution by that conference, and its rejection by the British Government had inevitably led the Congress to the adoption of the creed of Complete Independence. This remained the guiding star of its policy until India became free and the objective was changed only thereafter to suit the altered circumstances. Formal recognition was given to that change by putting the words "Complete Independence" in brackets after the word "Swarajya" in Article One (Vide Resolution XII of the Working Committee, February, 1930).

The 45th Congress held at Karachi in March 1931 again made two changes. In place of two General Secretaries and two Treasurers in Article XXIII, provision was made for not more than three General Secretaries and three Treasurers, thus partly reverting to the previous arrangements. More significant than this amendment was the change made in Article XXIV, which laid down the principle that the Working Committee shall be the executive authority responsible to the A. I. C. C. Although this status of the Working Committee was *ipso facto* understood by all, it had not been expressly mentioned in definite terms before in the

Congress Constitution. Also, the total strength of the Working Committee was limited to fifteen.

All these amendments and changes—substantial and consequential—were born out of necessity to keep up with organisational developments inside the Congress as well as with external happenings that influenced the country. They led to a thorough revision of the Constitution in 1934.

CHAPTER VII

THE CONSTITUTION OF 1934 (1934-1944)

The history of the 1934 Constitution begins with a statement issued to the Press by Mahatma Gandhi on 17th September, 1934, from Wardha.* It was a remarkable statement in more than one sense. For therein Gandhiji laid bare the innermost convictions of his heart before the Indian public and advocated a number of important changes in the Congress Constitution more in the direction in which his mind was working at that time and more in tune with the ideology that he preached and practised. He analysed in detail the differences between his position and that of Congressmen in general and pointed out the discrepancies that had arisen in working out the ideas which he had given earlier.

The first amendment that he proposed was the replacement of the words 'legitimate and peaceful' in the first Article of the Constitution by "truthful and non-violent". He preferred these 'unequivocal adjectives', he said. Secondly, he advocated the substitution of the four-anna franchise by the delivery of 2,000 rounds of a prescribed quality of yarn per month by every Congressman. He termed this a 'labour franchise' and 'the nearest approach to adult franchise.'

* The full text of this statement is given as Appendix I at the end of this book.

Thirdly, for a member to be entitled to vote at a Congress election, his name should have been on the Congress register continuously for six months and also he should be a habitual wearer of khaddar. Gandhiji laid down certain tests with regard to this khaddar clause. Further, he wanted to reduce the number of Congress delegates. Gandhiji's intention was to test the feeling of Congressmen on all these points by placing before the Congress certain resolutions giving effect to his views.

In a meeting held at Bombay on 20th October, 1934, the Congress Working Committee accepted the principle of the amendments suggested by Gandhiji and appointed a committee of five* with power to co-opt, to report on them by the next day. This committee revised the whole Constitution and the draft submitted by it was approved by the Working Committee. The 48th session of the Congress which met in Bombay from 26th to 28th October, 1934, considered this draft. The amendment of the creed, as proposed by Gandhiji, was not accepted by the Subjects Committee of the Congress. The draft was otherwise generally approved and the new Constitution of the Congress came into force immediately.

The 1934 Constitution consisted of 18 Articles, the last dealing with transitory provisions. Highlights of the new Constitution were :

* Mahatma Gandhi, Bhulabhai Desai, K. M. Munshi, Pattabhi Sitaramayya and Jairamdas Daulatram.

(1) A Congress voter in addition to being a habitual wearer of khadi should put in at least eight hours of manual labour in a month or spin a prescribed quantity of even yarn.

(2) Members of communal organisations were expressly prohibited from becoming Congress members.

(3) The total number of delegates was limited to 2,000 and the proportion of urban and rural delegates was fixed.

(4) The elected Congress delegates were to form the Provincial Congress Committees of the respective Provinces.

(5) An elaborate procedure was laid down for the election of the Congress President.

(6) For the first time in the Congress and in Indian history, Hindustani was prescribed as the language of all Congress proceedings.

Here is the full text of the 1934 Constitution :

CONSTITUTION OF THE INDIAN NATIONAL CONGRESS—1934

Object

Article I

The object of the Indian National Congress is the attainment of Poorna Swaraj (Complete Independence) by all legitimate and peaceful means.

The Indian National Congress

Article II

The Indian National Congress shall comprise :

- (1) Members enrolled in Primary Committees under Article III
- (2) Provincial Congress Committees
- (3) Annual Session
- (4) All-India Congress Committee
- (5) Working Committee,

and may comprise (a) committees or associations directly organised by the A. I. C. C. or the Working Committee or (b) committees organised by any Provincial Congress Committee in accordance with the rules framed by it in that behalf and approved by the Working Committee.

Membership

Article III

(a) Any person over the age of 18 years who believes in Article I shall, on making a written declaration to that effect and presenting an application in Form 'A' annexed hereto and on payment of four annas, be entitled to be placed on the register of Congress members kept at any office duly authorised in that behalf within the district in which he ordinarily resides or carries on business.

Provided that no person shall be a member of more than one Primary Committee at the same time.

(b) The application shall be presented in duplicate and may be handed in personally or sent by post or messenger.

(c) It shall state the full name, age, sex and occupation of the applicant as also the village, the taluka, the district and the province in which he ordinarily resides or carries on business

(d) The official receiving the application, after recording on it the date of receipt, serial number and such other particulars as may be prescribed, shall send one of the duplicates to the office of the Provincial Congress Committee concerned.

(e) The applicant, on being enrolled, shall receive a certificate of membership as per Form 'B' annexed hereto and printed on durable paper, either in the language and script of the province in which he resides or in the Hindustani language written in Devanagari or Urdu script.

(f) Unless otherwise directed by the Working Committee the year of the membership shall be reckoned from April 1st to March 31st and there shall be no reduction in the subscription to be paid by members joining in the middle of the year.

Provinces

Article IV

(a) The following shall be the provinces with the headquarters mentioned against them :

<i>Province</i>	<i>Language</i>	<i>Headquarters</i>
1. Ajmer-Merwara ...	Hindustani	.. Ajmer
2. Andhra ...	Telugu	... Bezwada
3. Assam ...	Assamese	... Gauhati
4. Bihar ...	Hindustani	... Patna
5. Bengal ...	Bengali	... Calcutta
6. Berar ...	Marathi	... Amraoti
7. Bombay (City) ...	Marathi & Gujarati	... Bombay
8. Burma ...	Burmese	... Rangoon
9. Central Provinces ...	Marathi	...
10. Delhi ...	Hindustani	.. Delhi
11. Gujarat ...	Gujarati	... Ahmedabad
12. Kerala ...	Malayalam	... Calicut
13. Karnatak ...	Kannada	... Dharwar

<i>Province</i>	<i>Language</i>	<i>Headquarters</i>
14. Mahakoshal (C. P.)	Hindustani	... Jubbulpore
15. Maharashtra ...	Marathi	... Poona
16. N. W. F. Province	Hindustani	... Peshawar
17. Punjab ...	Punjabi	... Lahore
18. Sindh ...	Sindhi	... Karachi
19. Tamil Nadu ...	Tamil	... Madras
20. United Provinces ...	Hindustani	... Lucknow
21. Utkal ...	Oriya	... Cuttack.

(b) Any Provincial Congress Committee with the previous sanction of the Working Committee shall have the power to alter its headquarters from time to time.

(c) The Working Committee may, after ascertaining the wishes of the Provincial Congress Committee or Committees concerned, constitute a new Province or assign to a Province districts from another Province as also assign an Indian State to any Province.

Qualifications

Article V

(a) No member shall be entitled to exercise his vote at any election unless he has been continuously on a Congress register for six months prior to the date of the election.

(b) No member even if he is qualified under clause (a) hereof shall be eligible for election to an office or to membership of any Congress Committee unless

- (i) he is a habitual wearer wholly of hand-spun and hand-woven khaddar ;
- (ii) he has performed some manual labour continuously for six months immediately before the date of nomination for election, on behalf of or for the Congress equal in value to 500 yards per month of well-spun

yarn of over ten counts, and in time to eight hours per month, the forms of acceptable labour alternative to spinning being prescribed from time to time by the Working Committee concerned and the All-India Village Industries Association or the All-India Spinners' Association ;

- (iii) at the time of offering himself for such election he is not a member at the same time of any other parallel committee.

(c) No person who is member of any elected Congress committee shall be member of any similar committee of a communal organisation the object or programme of which involves political activities which are, in the opinion of the Working Committee, anti-national and in conflict with those of the Congress.

Election of Delegates

Article VI

(a) At the end of every annual session the Working Committee shall fix a date and time not earlier than eight months after the date of such decision, when every Provincial Congress Committee shall send to the Working Committee a certified list of members of its primary committees qualified to vote. The list must reach the office of the Working Committee on or before the said or any other extended date time.

(b) Members included in the said list shall alone be entitled to vote at the election of delegates in that province.

(c) In the event of a Provincial Congress Committee failing to furnish the lists in time, the province concerned may be disentitled to elect its delegates.

(d) On receipt of the aforesaid lists the Working Committee shall fix the date by which the election of delegates must be held and the quota of delegates which each province is entitled

to return, and call upon the Provincial Congress Committees to proceed with the election of their respective quotas.

(e) For the purposes of election the provinces referred to in Article IV hercof shall be divided into rural and urban areas.

(Note : 'Urban area' means towns which have a population of more than ten thousand persons. 'Rural area' means area other than urban.)

(f) The rural areas as also every town with a population of more than 10,000 persons in a district shall each be entitled to elect one delegate for every five hundred duly qualified members on the rolls of its primary committees or for such other number as may be fixed by the Working Committee in accordance with clause (h) hercof subject to the following :

(i) The maximum number of delegates shall not exceed two thousand. Out of the said number 511 shall be the maximum for the urban areas and 1,489 for the rural area ;

(ii) No province shall be entitled to return a larger number of delegates than a proportion of one delegate to every 150,000 of the inhabitants of such province including the Indian States or Agencies therein, or its fraction thereof, in accordance with the census of 1921.

Proviso I : The maximum number of delegates sent by the urban area in each province shall not exceed 25% of the total number returnable by the province as aforesaid.

Proviso II : Bombay (City) shall have a maximum quota of 21 delegates.

Proviso III : Every province shall be entitled to return a minimum of 10 delegates irrespective of the strength of its primary members.

- (g) (i) Where the rural area of a district has a sufficient number of duly qualified members on the rolls of its primary committees, the Provincial Congress Committee shall divide such area into suitable circles, so as to include in each circle not less than 500 duly qualified members and each such circle shall be entitled to elect a delegate.
- (ii) On a demand made in writing by 500 duly qualified members enrolled on the primary committees of one or more contiguous circles of a district, the said circles, where possible, shall be combined into a plural-member constituency of not more than five seats.
- (iii) Wherever possible, a town with a population of more than 10,000 persons shall be divided into plural-member constituencies of not less than five and not more than ten seats, provided the constituency can have at least 500 duly qualified members to every seat. But where the number of duly qualified members is less than 2,500 the town shall be formed into a plural-member constituency with one seat to not less than 500 members each.
- (iv) Election in plural-member constituencies shall be by proportional representation by single transferable vote.
- (h) If and when necessary, the Working Committee may readjust the proportion of 500 duly qualified members to one delegate and prescribe a higher figure for any urban or rural area so that the total number of urban and rural delegates in each province may be in the proportion of 1 to 3 and may not in the aggregate exceed the maximum prescribed for it under (f) (ii).
- (i) The province which has not completed its election on or before the date appointed by the Working Committee

may at the discretion of the Working Committee be disentitled to be represented at the annual session.

(j) A certified list of delegates shall be submitted by the Provincial Congress Committee not later than the date fixed by the Working Committee in that behalf.

(k) Every delegate so elected shall, on payment of a fee of Rs. 5 at the office of the Provincial Congress Committee of his province, receive a certificate in accordance with Form 'C' hereto annexed, duly signed by one of its secretaries. No delegate shall be entitled to exercise any of his functions or powers without such certificate.

Election by the Delegates

Article VII

(a) On receipt by the Working Committee of the list of delegates it shall fix a date on which the delegates in every province shall assemble in a meeting to transact the following business :

- (i) to propose the candidate or candidates for the Presidency of the Congress for the ensuing year and to record the vote of each of the delegates assembled on the proposals ;
- (ii) to elect from among themselves one-twelfth of their number as representatives of the province on the All-India Congress Committee ;
- (iii) in case the number of delegates for the province exceeds 100 to elect from among themselves a number of members which together with the members of the All-India Congress Committee elected under clause (ii) would amount to 100 to constitute the Provincial Congress Committee of the province.

(b) The elections in sub-clauses (ii) and (iii) of clause (a) shall be by proportional representation by single transferable vote.

(c) The Secretaries of the respective Provincial Congress Committees shall issue certificates of membership of the All-India Congress Committee to the persons elected on it.

Provincial Congress Committees

Article VIII

(a) The delegates elected from a province under Article VI or where the number of delegates is more than 100, one hundred delegates elected under Article VII (a) (iii), as the case may be, and the President and the ex-Presidents of the Congress, provided they are duly qualified under Articles III and V, shall form its Provincial Congress Committee.

(b) Every Provincial Congress Committee shall

- (i) subject to the general control and supervision of the A. I. C. C., be in charge of the affairs of the Congress within its own province and to that end frame rules not inconsistent with this Constitution, which rules shall come into operation only with the previous sanction of the Working Committee ;
- (ii) submit an annual report of the work in the province to the Working Committee not later than one month before the commencement of the annual session ;
- (iii) before the new A. I. C. C. meets as Subjects Committee under Article IX (g), pay to the Working Committee the fees received from the delegates, as also such subscription as may be fixed by the latter having regard to the population, membership and financial capacity of the province. Delegates and members of the A. I. C. C. from provinces in default shall not be permitted to take part in any of the

proceedings of the Congress or any Committee thereof.

Annual Session

Article IX

(a) The annual session shall be ordinarily held during the month of February or March. The said session shall be held at the place decided upon at the preceding session or such other place as may be determined by the Working Committee.

(b) The annual session shall consist of :

(i) The President of the Congress;

(ii) the ex-Presidents of the Congress, provided they are duly qualified under Articles III and V;

(iii) the delegates elected under Article VI.

(c) The Provincial Congress Committee concerned shall make such arrangements for holding the annual session as may be deemed necessary, and for this purpose shall form a Reception Committee, and may include therein persons who are not its members.

(d) The Reception Committee shall collect funds for the expenses of the session, make all necessary arrangements for the reception and accommodation of delegates and visitors and for the printing of the report of the proceedings of the session.

(e) The Reception Committee shall elect its Chairman and other office-bearers from amongst its own members.

(f) (i) As soon as may be, after the receipt of the report by the Working Committee of the names of Presidents proposed by the delegates of various provinces and the number of votes recorded in favour of each, the

Working Committee shall announce as President-elect the name of the member obtaining the largest number of votes.

- (ii) In the event of an emergency arising by reason of any cause, such as the death or resignation of the President elected in this manner, the Working Committee shall, not later than a fortnight after the emergency, elect as President the person standing next in order.

(g) The new A. I. C. C. shall meet as Subjects Committee at least two days before the annual session under the Presidentship of the President-elect. The out-going Working Committee shall submit to it the draft programme of the work for the session including resolutions by the different Provincial Congress Committees.

(h) The Subjects Committee shall proceed to discuss the programme and shall frame resolutions for being moved in the open session. At least one day shall be allotted for the consideration of propositions of which due notice has been given by Provincial Congress Committees or members of the A. I. C. C. other than those of the Working Committee in accordance with the rules prescribed in that behalf.

(i) At each sitting of the Congress, the order in which business shall be transacted shall be as follows :

- (i) The resolution recommended for adoption by the Subjects Committee ;
- (ii) Any substantive motion not included in (i) and which 25 delegates request the President in writing, before the commencement of the day's sitting, to be allowed to place before the Congress; provided however, that no such motion shall be allowed unless it has been previously discussed at a meeting of the Subjects Committee and has received the support of at least a third of the members then present.

(j) The receipts and disbursements of the Reception Committee shall be audited by an auditor or auditors appointed by the Provincial Congress Committee concerned, and the statement of accounts together with the auditor's report shall be submitted by the Provincial Congress Committee to the Working Committee, not later than three months after the termination of the annual session.

Special Session

Article X

(a) The Working Committee may upon its own motion, or shall upon a joint requisition addressed to it, as provided in Article XVI (e), convene a meeting of the All-India Congress Committee for considering a resolution for holding a special session. Such resolution shall be effective if passed by two-thirds majority of the members present. Thereupon the Working Committee shall summon a special session of the Congress at such time and place as it shall determine and the Articles of the Constitution shall apply with such modifications as the Working Committee may consider necessary, provided that the delegates of the preceding session shall be the delegates for such special session.

(b) The President of a special session shall be elected by the delegates.

All-India Congress Committee

Article XI

(a) The President of the annual session, members of the A. I. C. C. elected under Article VII (ii) and the ex-Presidents referred to in Article IX (b) (ii) shall constitute the A. I. C. C.

(b) The A. I. C. C. shall carry out the programme of work laid down by the Congress from session to session and deal with all new matters that may arise during its term of office.

(c) The A. I. C. C. shall have the power to frame rules, not inconsistent with this Constitution, for regulating all matters connected with the Congress.

(d) The President of the annual session shall be the Chairman of the A. I. C. C.

(e) The A. I. C. C. shall meet as often as required by the Working Committee, or on a joint requisition addressed to the Working Committee by not less than fifteen members. Such requisition shall specify the purpose for which the requisitionists desire a meeting of the A. I. C. C. At such meeting additional items of business may be brought up for consideration, provided due notice thereof has been given to the members.

(f) Twenty-five or one-third of the total number of members, whichever is less, shall form the quorum.

(g) The A. I. C. C. shall hold office till the meeting of the new A. I. C. C. as Subjects Committee immediately before the next session.

(h) The A. I. C. C. shall, at its first meeting every year, nominate a panel of twelve members to enquire into and decide all election disputes coming before it. Each party to the dispute shall nominate one out of this panel to represent itself and the President shall appoint an umpire from the panel.

(i) The A. I. C. C. may from time to time affiliate to the Congress such organisations as it may deem necessary provided such organisations are calculated to further or assist the object of the Congress.

(j) Every member of the All-India Congress Committee, ex-officio or elected, shall pay an annual subscription of Rs. 10/- payable at or before the first meeting of the All-India Congress Committee. Members in default will not be permitted to take part in any meeting of the All-India Congress Committee, the Subjects Committee or in any session.

The Working Committee

Article XII

(a) The President of the annual session shall for his term of office select fourteen members from among the members of the A.I.C.C. to constitute his Working Committee including not more than three General Secretaries and not more than two Treasurers of the Congress.

(b) The Working Committee shall be the executive authority and as such shall have the power to carry into effect the policy and programme laid down by the A.I.C.C. and the Congress, and shall remain responsible thereto.

(c) The Working Committee shall place before every meeting of the A.I.C.C. the reports of its proceedings and the agenda of the meeting, and shall assign at least one clear day for resolutions of which due notice may have been given by the members of the A. I. C. C other than those of the Working Committee in accordance with the rules prescribed in that behalf

(d) The Working Committee shall appoint one or more inspectors to examine the records, papers and account books of all Congress organisations, which shall furnish all information and give to the inspectors access to all offices and records.

(e) The Working Committee shall have the power

- (i) to frame rules and issue instructions for the proper working of the Constitution and in all matters not otherwise provided for ;
- (ii) to superintend, direct and control all Congress Committees subject to review by the A.I.C.C. ;
- (iii) to take such disciplinary action as it may deem fit against a committee or individual for misconduct, wilful neglect or default.

(f) The Working Committee shall pay to the Provincial Congress Committee convening the annual session one-fifth of the fees recovered from the delegates within a fortnight of its termination.

(g) The Working Committee shall take steps to have a regular audit of the accounts of the Provincial Congress Committees.

Funds

Article XIII

The treasurers shall be in charge of the funds of the Congress and shall keep proper accounts of all investments, income and expenditures.

General Secretaries

Article XIV

(a) The General Secretaries shall be in charge of the office of the A.I.C.C. and the Working Committee.

(b) The General Secretaries shall be responsible for the publication of the report of the proceedings of the annual or special session in cooperation with the Provincial Committee concerned. Such report shall be published as soon as possible and not later than four months after the session.

(c) The General Secretaries shall prepare the report of the work of the A.I.C.C. and the Working Committee during their period of office and submit it, with a full account of the funds, which may have come into their hands, to the meeting of the A.I.C.C. immediately before the annual session.

Vacancies

Article XV

The office of a delegate or a member of the A.I.C.C. or a Provincial Congress Committee shall be vacated by resignation,

death or prolonged absence from India and such vacancy shall be filled by the Provincial Congress Committee concerned in the same manner in which the vacating member was chosen. A vacancy on the Working Committee shall be filled by the President.

Fractions

Article XVI

Where there is a question of considering the value of fractions, a fraction of $\frac{1}{2}$ or more shall be treated as one, and less than $\frac{1}{2}$ as zero.

Language

Article XVII

(a) The proceedings of the Congress, the All-India Congress Committee and the Working Committee shall ordinarily be conducted in Hindustani; the English language or any provincial language may be used if the speaker is unable to speak in Hindustani or whenever permitted by the President.

(b) The proceedings of the Provincial Congress Committees shall ordinarily be conducted in the language of the province concerned. Hindustani may also be used.

Transitory Provisions

Article XVIII

(a) On these amendments to the Constitution coming into force the A. I. C. C. shall consist of not more than 166 members apportioned as stated in the Appendix.

(b) The members of the Provincial Congress Committees which are functioning or are about to function shall, from among themselves, elect by single transferable vote the members of the A. I. C. C. mentioned in clause (a).

(c) Where a Provincial Congress Committee at present consists of more than 100 members the sitting members of such committees shall elect from among themselves by single transferable vote 100 members including the A. I. C. C. members to constitute the new Provincial Congress Committee under this Constitution.

(d) The Provincial Congress Committee reconstituted under clause (c) shall elect its office-bearers.

(e) The votes at the elections under clauses (b) and (c) may be recorded either at a meeting held for the purpose or on ballot papers sent by post.

(f) All such elections shall be held and a report thereon submitted to the Working Committee on or before the 15th of January 1935.

(g) Every Provincial Congress Committee shall, before the 28th of February, 1935, submit for the approval of the Working Committee a report on the affairs of its province and a draft constitution for the same not inconsistent with this Constitution and the rules made thereunder.

(h) The Provincial Constitutions shall come into operation on their being approved by the Working Committee.

(i) No Provincial Congress Committee and no subordinate committee shall be recognised by the Working Committee unless it has complied with the conditions laid down in this Constitution or any rules framed thereunder by the Working Committee.

(j) On failure on the part of any Provincial Congress Committee to function in terms of the Constitution, the Working Committee may form one to carry on Congress work in that province.

(k) Notwithstanding Articles III and V (a) and (b)(ii) a person otherwise duly qualified shall be eligible for election

to an office or to membership of a committee prior to 1st July, 1935.

(l) Notwithstanding the provisions relating to the election of the President by the delegates under this Constitution, the President of the 48th session of the Congress, viz. Sjt. Rajendra Prasad, shall continue to hold office as if he was elected hereunder.

(m) The President of the 48th session of the Congress shall nominate fourteen members of the Working Committee including three General Secretaries and not more than two Treasurers from the members of the present A. I. C. C.

(n) The Working Committee may make such transitory regulations not inconsistent with the foregoing to meet any situation that may arise in the transitional period.

With a few minor amendments this Constitution continued to work for about 14 years until it underwent a complete transformation in 1948. The changes that were made during the intervening period were mainly the result of the defects which the Constitution had shown in its actual working or application or in the interpretation of its clauses. For example, the Working Committee which met at Patna in December, 1934 gave an exhaustive explanation of the khadi clause in Article V, based on Sardar Patel's definition of a 'habitual wearer of khadi'. Again in its meeting at Delhi in January, 1935, the Working Committee explained the implication of the residential qualification in Article III of the Constitution and ruled that there was no inter-district restriction with regard to elections. At Jubbulpore, in April, 1935, the Working Committee gave a further ruling on the khadi clause

by prescribing a six months' minimum limit for the wearing of khaddar by a Congress office-bearer prior to his election.

In October 1935, the Working Committee appointed a sub-committee consisting of the President, Dr. Pattabhi Sitaramayya, Shri Jairamdas Daulatram and Shri J. B. Kripalani to examine the Constitution in the light of experience gained in its working and to report thereon. Based on the report of this Committee, a number of amendments to the 1934 Constitution were passed by the 49th Session of the Congress which met at Lucknow in April 1936. But soon after certain anomalies were pointed out in the amended text and a consequential Rule under Article XVIII and a transitory provision under Article XVIII (*d*) were made on the recommendation of a Committee consisting of Messrs C. Rajagopalachari, Jairamdas Daulatram and J. B. Kripalani.

Meanwhile, the question of mass contacts had come to the forefront. The Lucknow Congress had appointed a Mass Contacts Committee. When the Congress met at Faizpur in December, 1936 for its 50th session, this question loomed large on the horizon. The Faizpur Congress therefore passed the following resolution on the subject :

"The Congress wishes to stress again the desirability of increasing the association of the masses with the Congress organization and of giving opportunities to the Primary Members to initiate and consider Congress policies and programme With a view to bring this about, a Committee

consisting of the President (Jawaharlal Nehru), Shri Rajendra Prasad, Shri Jairamdas Daulatram, Shri Jaiprakash Narain and the General Secretary (J. B. Kripalani) is appointed to consider the introduction of suitable changes in the Constitution. This Committee will consider, *inter alia*, the report of the Mass Contacts Committee of the Lucknow Congress."

Pending such reorganisation, the P.C.Cs were asked to organise their provinces in such a manner as to give effect to this policy. One such recommendation made to the P.C.Cs was to collect the annual four-anna subscription locally in kind. The sole aim of all these proposals was to make the Congress organisation more responsive to the needs and desires of the masses.

The recommendations of this Committee as well as other changes suggested later were incorporated in the Constitution which was accordingly amended at the 51st session of the Congress held at Haripura in February, 1938. Besides a slight rearrangement of the Articles, the amendments mainly related to the following subjects :

(1) Under Article II, the Village, Ward, Town, Taluka (*Tehsil*) (Sub-division), District or other local committees were also enumerated as constituents of the Indian National Congress.

(2) Some changes were made in the nomenclature of the provinces under Article IV. In view of the impending separation of Burma, a special provision was made for the Burma Congress Committee which,

it was specifically stated, stood 'for the freedom of the people of Burma'.

(3) Article V was modified in order to prescribe a three-months' membership qualification (instead of the former 6 months) for a Congressman before he could exercise his vote. The khadi clause was also simplified.

(4) The number and proportion of delegates to be elected from urban and rural areas were changed in order to give greater representation to rural areas.

(5) It was laid down that a P.C.C. shall consist of the delegates from that province and that each province shall be represented on the A.I.C.C. by $1/8$ of the number of delegates from that province elected for the purpose. The relevant Articles were suitably altered.

(6) A detailed procedure was prescribed under Article X for the election of the President.

(7) The total strength of the Working Committee including the President was reduced from 15 to 14.

(8) Three forms called A, B, C, were prescribed for purposes of membership application, membership certificate and delegation certificate.

A ten-man Constitution Committee was also appointed to consider and frame rules, if necessary, concerning certain controversial matters which had been raised by members, e.g. indirect election of delegates, territorial representation on the A.I.C.C.,

election to the A.I.C.C. by the method of proportional representation, etc.

The next series of amendments came when the 52nd session of the Congress held at Tripuri in March, 1939 passed the following resolution entitled "Congress Machinery" :

"Inasmuch as experience has shown that the working of the Congress machinery is often rendered difficult by abuses in the matter of enrolment of members, elections and otherwise, and it is urgently necessary to remove all such defects, the Congress authorises the All-India Congress Committee to take all steps that may be necessary to attain that end including changes in the Constitution. The All-India Congress Committee shall have authority to give immediate effect to such constitutional changes."

In pursuance of this resolution, the next meeting of the A.I.C.C. held at Calcutta in April-May 1939, appointed a Committee consisting of the President (Rajendra Prasad), Jawaharlal Nehru, Pattabhi Sitaramayya, Narendra Dev and J. B. Kripalani "to recommend measures for the purification of the Congress organisation". This Committee suggested certain changes and the A.I.C.C. at its meeting held in Bombay in June 1939, incorporated them in the Congress Constitution.

Two new Articles IV and V dealing with the renewal of membership for which a new form (Form 'B') was prescribed and the maintenance of a membership register by all District Congress Committees, were added. Under Article VI enumerating the

Congress Provinces, Burma which had in the meantime, been separated from India, was left out. A few modifications were made in the qualifications of a Congress voter. Clause (c) of Articles VII laid down that no member shall be eligible as a delegate to the Congress or as a member of a Provincial or District Congress Committee unless he has been a member of the Congress for three consecutive years at the time of the election. Three new Articles VIII, IX and XI provided for the constitution of provincial and district Election Tribunals to decide membership and election disputes, and objections to membership rolls. On the whole it was an attempt at tightening up the loose ends of the organisation, necessitated by the growing importance of the parliamentary activities of the Congress.

The years that followed were perhaps the most critical in the long history of the Congress. For sometime it went into the wilderness of its own choice. The conditions in the country did not permit the calm consideration of any question—big or small—least of all, an organisational question like a new Constitution. And so, not until 1945 was any effort made to revise the Congress Constitution.

CHAPTER VIII

THE NEW CONGRESS CONSTITUTION (1945-1948)

After the Congress met at Ramgarh in 1940, it went into the wilderness as a result of its attitude towards the War and consequently no Congress session was held for 5 years. Many events had happened during this period which necessitated the reconsideration of the provisions of the Congress Constitution, so as to enable the organisation to shoulder the heavy responsibilities thrust upon it as the instrument for the achievement of India's freedom. The A. I. C. C. which met at Bombay in September 1945 after the release of the members of the Working Committee from detention passed the following resolution appointing a Constitution Committee :

“ In view of the fact that the Congress has not been able to hold its annual session after the Ramgarh session held in March, 1940, and in view of the fact that events have happened during the past five years which require that the Constitution of the Congress be considered in its entirety, it is resolved that a Committee consisting of the following persons* with power to co-opt two or more, be formed to consider the whole question and to make proposals for such amendments and additions to the Congress Constitution as may appear necessary. In particular the Committee is authorised to consider the question as to how the Congress Committees should be related to other independent

* Rajendra Prasad, Narendra Dev, Pattabhi Sitaramayya, R. R. Diwakar and J. B. Kripalani.

organisations and to groups within the Congress Committees themselves. The Committee is also authorised to consult Provincial Congress Committees and such other persons or bodies as it may consider necessary. ”

The resolution also authorised certain temporary and transitory amendments to be made to the existing Constitution to enable the conduct of new elections to the various Congress Committees under the extraordinary circumstances then obtaining.

The members of the Committee held consultations with Gandhiji and sought his views on the subject. After long discussions he put his thoughts in the form of a draft in Hindi and gave it to the Committee on 1st January, 1946.* The points he made therein were of material help to the Committee in coming to broad conclusions on the future shape of the Congress Constitution. It produced a draft in due course but the Working Committee, busy as it was with important political negotiations with the British Government, did not get an opportunity of carefully studying it and making its detailed recommendations to the Congress session. The annual session of the Congress which met at Meerut in November, 1946 did not therefore adopt any new Constitution. Instead it passed a resolution authorising the A.I.C.C. to amend and revise the Constitution in view of the great political developments and the new conditions that had arisen. The A. I. C. C. subsequently increased the strength of the old

★ An English translation of this is published as Appendix II at the end of the book.

Constitution Committee to fourteen with Shri R. R. Diwakar as convenor. *

This Committee met several times and produced a draft which, it was expected, would be considered by the A. I. C. C. when it met in June, 1947 in Delhi. The country was then on the eve of independence and partition had been decided upon. Conditions were fluid and uncertain. How the Congress would function in a free country and what shape its organisation would take in a divided India were not clear. In the circumstances it was widely felt that the time was not ripe to put through sweeping reforms in the organisation of the Congress. Gandhiji was of the opinion that under the disturbed conditions in the country it was neither wise nor expedient to put into operation an altogether new Constitution.

The question of evolving a new Constitution, creed and programme in the context of a free India came up before a meeting of Presidents and Secretaries of all P. C. Cs which took place in July, 1947 at Delhi. A note entitled "The Future Role of the Congress" prepared by Shri Shankarrao Deo obtained the general approval of the meeting and was subsequently circularised to all P. C. Cs as well as to the public through the press. It helped to canalise public

* Rajendra Prasad, Pattabhi Sitaramayya, Narendra Dev, R. R. Diwakar, Jaiparkash Narain, Kamla Devi Chattopadhyaya, P. D. Tandon, Mridula Sarabhai, B. V. Keskar, Shrinivas Mallya, S. K. Patil, Jairamdas Daulatram, Shankarrao Deo and Jugul Kishore.

opinion on the subject and to formulate definite ideas as to what role the Congress should play in a free India.

With the achievement of Indian independence on 15th August, 1947, the object for which the Congress had been first organised and for which it had struggled and suffered for sixty two long years was realised. But it now found itself in charge of the administration of the country both at the Centre and in the Provinces. The possession of political power brought new responsibilities to the Congress which it was its duty to shoulder, for the Congress represented the people and enjoyed their confidence. There was another and a more fundamental reason, which called for the continued existence of the Congress. The history of the Congress, the resolutions it had passed, the pronouncements and activities of its leaders, notably Gandhiji's—had all pointed to a wider and deeper objective, viz. the political, social and economic emancipation of the poverty-stricken masses of India. While political freedom had come, social and economic freedom was yet to be a reality. The feeling was universal that the Congress had to achieve more by continuing to function on a wider plane and for a broader objective.

It was against this background that the A. I. C. C. met in Delhi in November, 1947. When the question of the future Congress Constitution came up before it, it decided that the changed situation necessitated further

thought on the subject and appointed a fresh committee* for revising the Constitution keeping in view the new objective before the organisation. This committee sought the opinion of Congressmen and Congress committees on the following points which required consideration in connection with the framing of a new constitution : - (1) The new objective of the Congress, (2) Continuance or discontinuance of four-anna membership, (3) Whether the Congress should continue to function in Pakistan, (4) Whether or not the Congress should extend its activities to the States, (5) Qualifications for members of elective committees, (6) Whether Congress elections should be annual or triennial.

A large number of suggestions were received in reply. The Constitution Committee considered all these suggestions and put up a final draft before the Working Committee in January, 1948 at which Gandhiji was present. Gandhiji felt that the suggested changes would not meet the requirements of the new situation. It was therefore decided that the Constitution Committee should discuss their proposals with him directly in an attempt to come to agreed conclusions. This they did on the 28th January, 1948 when Gandhiji explained his approach to the problem. He was thereupon requested to put his thoughts in writing, so that the Committee might have before them a clear and definite picture of his proposals. Accordingly

* Dr. Pattabhi Sitaramayya, Shri P. D. Tandon, Acharya Narendra Dev, Shri R. R. Diwakar, Shri S. K. Patil, Shri Surendra Mohan Ghosh and Acharya Jugal Kishore (Convener).

Gandhiji handed over a draft of his suggestions on 30th January, 1948, a few hours before his death.

Gandhiji's draft proposals,* which have since become famous as his last will and testament to the Congress and the country, were so radical in their conception and scope that the Constitution Committee and the Working Committee found it difficult to accept them *in toto*. Gandhiji believed that the Congress as a parliamentary machine and as a vehicle of political propaganda had outlived its use after the attainment of independence. He therefore thought that the Congress should be kept out of unhealthy competition with political parties and communal bodies, and advocated the disbanding of the existing Congress organisation. According to him, it should "flower into a Lok Sevak Sangh" and work for the social, moral and economic independence of the country in terms of its 700,000 villages as distinguished from its cities and towns.

These proposals meant a clean sweep of the past. Gandhiji's absence precluded any attempt at further clarification or modification of the proposals. Unable to contemplate the idea of dissolving an institution which was the only organised body which could run the administration of the country and tackle the manifold problems that political freedom brought in its wake, the Working Committee with great regret dissented from Gandhiji's basic approach and made their own

* The is given as Appendix III at the end of the book.

recommendations regarding the fundamental principles that should govern the new constitution. It accepted as many suggestions of Gandhiji's as it could conveniently do and for the rest drew from the original proposals of the Constitution Committee.

The A. I. C. C. which met in February, 1948 generally accepted these recommendations. A fresh draft prepared on the basis of these principles was placed before the A. I. C. C. at its meeting held in Bombay in April, 1948 which passed it article by article with a few amendments. In December, 1948 at the Jaipur Congress certain interpretative and explanatory amendments were also made.

The text of the new Congress Constitution as it stands today is given below :—

CONSTITUTION OF THE INDIAN NATIONAL CONGRESS

Object

Article 1

The object of the Indian National Congress is the well-being and advancement of the people of India and the establishment in India by peaceful and legitimate means of a Cooperative Commonwealth based on equality of opportunity and of political, economic and social rights and aiming at world peace and fellowship.

Constituents

Article II

The Indian National Congress will comprise :

- (a) Primary members under Article IV
- (b) Primary Congress Panchayats in a village, in a group of villages, in a ward of a town or in a part of a town
- (c) District Congress Committees and such intermediate Committees as the P. C. C. may decide
- (d) Provincial Congress Committees
- (e) All-India Congress Committee
- (f) Working Committee
- (g) Annual Session of the Congress
- (h) (i) Committees or associations organised or created or affiliated by the A.I.C.C. or the Working Committee
- and (ii) Committees organised or created by any Provincial Congress Committees in accordance with the rules framed by it on that behalf and approved by the Working Committee.

Territorial Jurisdiction

Article III

- (a) The following shall be the provinces with the headquarters mentioned against them :

<i>Province</i>	<i>Headquarters</i>
1. Ajmer-Merwara	Ajmer
2. Andhra	Bezawada
3. Assam	Gauhati
4. Bihar	Patna
5. West Bengal	Calcutta
6. Bombay (City)	Bombay
7. Delhi	Delhi
8. Gujarat	Ahmedabad
9. Karnatak	Hubli
10. Kerala	Calicut
11. Mahakoshal	Jubbulpore
12. Maharashtra	Poona
13. Nagpur	Nagpur
14. East Punjab	
15. Tamilnad	Madras
16. United Provinces	Lucknow
17. Utkal	Cuttack
18. Vidharbha (Berar)	Akola
19. Rajputana	
20. Madhya Bharat	
21. Vindhya Pradesh	
22. Himachal Pradesh	
23. Patiala and East Punjab States Union.	

(b) A Provincial Congress Committee with the previous sanction of the Working Committee shall have the power to change its headquarters.

(c) The Working Committee may after ascertaining the wishes of the Provincial Congress Committee or Committees concerned, constitute a new province, or assign to a new province, a district or a portion or portions of a district from another province as also assign any acceding State or States or part or parts thereof, to any province or, if necessary, constitute such a State or States into a province.

(d) The Working Committee shall have power to give representation to such areas in India or outside as have not been included in the jurisdiction of any P. C. C. or direct that such an area or areas be included in a neighbouring province.

Membership

Article IV

(a) Any person of the age of 21 years and over who believes in Article 1, shall, on making a written declaration to that effect on Form (A), be deemed to be a Primary Member of the Congress.

Primary Membership He shall be entitled to be placed on the list of Primary Members which shall be kept at the office of the Primary Congress Panchayat, in whose jurisdiction he ordinarily resides or carries on business, provided that no person shall be a primary member at two places simultaneously.

(b) On declaration on Form (A) the person declaring shall receive an acknowledgment which shall be conclusive proof of his having become a Primary Member of the Congress.

(c) A primary member shall be deemed to be a qualified member eligible for election to a primary Congress panchayat if he fulfils the following conditions :

Qualified Membership "He shall be a habitual wearer of certified khadi*—certified through the agencies appointed by the Working Committee—made from hand-spun yarn and a teetotaller. He does not observe or recognise untouchability in any shape or form. He must be a believer in

* In its meeting held on the 9th and 10th January 1949, the Congress Working Committee approved the following interpretation of Certified Khadi: "Certified Khadi" means khadi certified by the P. C. C., Provincial Government, All-India Spinners' Association or such other bodies authorised by the Working Committee in this behalf. The Working Committee authorises the Khadi Samiti in Bihar and the Gandhi Ashram in U. P. to certify Khadi under this clause of the Congress Constitution

intercommunal unity and have respect for the faiths of other people. He must also believe in equality of opportunity and status for all irrespective of race, creed or sex ”

Provided that he is not a member of any political party, communal or other, which has a separate membership, constitution and programme and that he registers himself as such by a written application to the D.C.C. in Form (B) along with a fee of Re. 1 - by a date fixed by the Working Committee and provided he has been a Primary Member for at least two years consecutively.

(d) The D.C.C. shall duly enter the applicant's name in the register of Qualified Members and issue a card to the applicant as per Form (C).

(e) Every Qualified Member shall annually pay a fee of Re. 1/- to the respective D.C.C. provided that the fee he has paid with the application shall be credited as his fee for the first year.

(f) A Qualified Member shall be deemed to be an effective member provided he devotes regularly a part of his time to some form of national or constructive activity as laid down from time to time by the Congress, and signs a declaration to that effect, as per Form (D), and files it with the respective D.C.C by a date fixed by the Working Committee, provided his name has been on the list of Qualified Members for at least one year.

Effective
Membership

(g) The D.C.C. shall, on receipt of the application of a Qualified Member to be enrolled as an Effective Member, forward the same to the P.C.C. and the P.C.C. shall duly enter the applicant's name in the register of Effective Members and issue a card to the applicant as per Form (E).

(h) The Working Committee shall issue prescribed forms referred to in the Constitution.

Term of Congress Committee

Article V

The term of every Primary Congress Panchayat and Congress Committee shall ordinarily be three years.

Register of Members

Article VI

(a) Every Primary Congress Panchayat shall maintain a list of its Primary Members.

(b) Every D.C.C. shall maintain a register of Qualified Members and members of Panchayat within its jurisdiction and shall send a certified list of the same to its P.C.C.

(c) Every P.C.C. shall maintain a register of Effective Members within its jurisdiction and shall supply a certified list of the same to the D.C.C.'s concerned.

(d) The registers mentioned in clauses (b) and (c) shall state the full name, address, age, occupation, residence and date of enrolment of each member.

Qualifications for Voters and Candidates

Article VII—A. Voters :

(a) Every Primary Member of the Congress who has enrolled himself as such within the prescribed period and whose name appears on the list of Primary Members shall be entitled to vote at the election of the primary Congress panchayat of his constituency.

(b) All members of the Panchayats and Effective Members shall be entitled to vote at the elections of delegates and, subject to provisions made in this behalf by respective

provincial Congress committees, to all other Congress committees subordinate to P.C.C.'s.

B. Candidates :

(a) A Qualified Member shall be eligible for election to a primary Congress panchayat.

(b) An Effective Member shall be eligible for election to any Congress committee.

Article VIII

(a) A primary Congress panchayat shall consist of Qualified Members elected by the Primary Members of a village, group of villages, a municipal ward, part of a ward, a town or a part of a town in a general meeting of the members called for the purpose on a date prescribed by the respective P. C. C.

(b) The jurisdiction of any primary Congress panchayat shall not ordinarily extend beyond an area comprising a population of 2,500 adult voters on the list of government electoral rolls.

(c) No primary Congress panchayat shall consist of less than three or more than ten members, provided that there is not more than one member for every 250 adults.

(d) No primary Congress panchayat shall be formed in an area unless 8 per cent. of the adult voters on the government electoral rolls have enrolled themselves as Primary Members.

Election of Delegates

Article IX

(a) Every Provincial Congress Committee shall prepare and send to the A.I.C.C. Office a statement containing a list

of Effective Members and members of the Panchayats on or before a date fixed by the Working Committee. This statement will be in the form prescribed by the A. I. C. C. Office.

(b) In the event of a Provincial Congress Committee failing to furnish a statement in time, the Working Committee may take such steps as it may deem necessary.

(c) The Working Committee shall fix the date by which the election of delegates must be held.

(d) Provincial Congress Committees shall divide the province into single member territorial constituencies which shall not be disturbed without the permission of the A.I.C.C. or the Working Committee. Such constituencies shall consist only of contiguous areas.

(e) Every province shall be entitled to return delegates to the Congress in the proportion of one for every lakh of population, provided that there are not less than five panchayats in the constituency.

(f) The members of the A.I.C.C. co-opted from affiliated associations and the ex-Presidents of each P.C.C. resident in the province, who have served one full term,* shall be declared to be delegates provided they are otherwise qualified under the constitution.

(g) Bombay City shall have a maximum of 40 delegates and the province of Delhi a maximum of 30 delegates.

(h) Every delegate shall, on payment of a fee of a Rs. 10/- at the office of the P. C. C. of his province, receive a certificate duly signed by one of its secretaries. No delegate who has not paid his fee shall be entitled to exercise any of his functions. The P.C.C. shall intimate to the A. I. C. C. Office just after the delegates are elected. The delegates shall receive acknowledgment from the A. I. C. C. Office.

* 'Full term' signifies the interval between two annual provincial elections or 365 days whichever is less.

(i) The province which has not completed the election of delegates on or before the date appointed by the Working Committee, may at the discretion of the Working Committee be disentitled to be represented at the Congress session.

(j) A certified list of delegates shall be submitted by the P. C. C. to the A. I. C. C. not later than the date fixed by the Working Committee in that behalf.

(k) The delegates shall be elected for a term of three years.

A. I. C. C. Elections

Article X

(a) The delegates in every province shall assemble in a meeting to elect from among themselves one-eighth of their number, as representatives of the province on the A.I.C.C. provided that no province shall have less than 5 representatives on the A. I. C. C.

(b) The election, mentioned in clause (a), shall be by proportional representation by single transferable vote.

(c) The Secretaries of the respective P. C. C.'s shall issue certificates of membership of the A.I.C.C. to the persons elected to it.

Provincial Congress Committee

Article XI

(a) The Provincial Congress Committee in each province shall consist of the delegates from the Province and those mentioned in clause (b) of this Article, provided they pay Rs. 5/- annually to the respective P. C. C.'s.

(b) The Presidents and ex-Presidents of the Congress, the ex-Presidents of the P. C. C. as referred to in Article IX Clause (f) and any other person or persons within the jurisdiction of the P. C. C. who have been co-opted by the A.I.C.C. for any reason

shall also be members of the P. C. C. and delegates to the Congress provided that they are duly qualified under Article IV.

(c) Every Provincial Congress Committee shall

- (i) ordinarily function through district and taluka or tehsil Congress committees formed in respective administrative divisions of the area provided that such committees shall include, as ex-officio members, those who have been elected to the P. C. C. from that area ;
 - (ii) subject to the general supervision and control of the A. I. C. C., be in charge of the affairs of the Congress Committee within its own province and to that end frame its provincial constitution not inconsistent with this Constitution, which shall come into operation only with the previous sanction of the Working Committee ;
 - (iii) submit to the Working Committee an annual report of the work done in the province by the provincial Congress organisation including an audited balance sheet ;
 - (iv) before the new A. I. C. C. meets the P. C. C. shall pay the Working Committee the delegates' fees and subscription fixed by the A. I. C. C. from time to time. Delegates and members of the A. I. C. C. from provinces in default shall not be permitted to take part in any of the proceedings of the Congress or any committee thereof.
- (d) (i) No Provincial Congress Committee shall be recognised by the Working Committee unless it has complied with the conditions laid down by the Working Committee.
- (ii) On failure of any Provincial Congress Committee to function in terms of the Constitution, the Working

Committee may suspend the existing P. C. C. and form and *ad hoc* committee to carry on Congress work in the province.

All-India Congress Committee

Article XII

(a) The President of the Congress session, members of the A. I. C. C. elected under Article X, the ex-Presidents of the Congress, provided they are qualified under Article IV, the treasurer of the Congress and representatives of affiliated Associations, if any, shall constitute the All-India Congress Committee, provided that such representatives shall not exceed one-tenth of the elected number of members.

(b) The A. I. C. C. shall carry out the programme of work laid down by the Congress from session to session and have power to deal with matters that may arise during its term of office.

(c) The A. I. C. C. shall have power to frame rules, not inconsistent with this Constitution, for regulating all matters connected with the Congress which shall be binding on all subordinate Congress committees.

(d) The President of the Congress session or President elected under Article XVI (h) shall be chairman of All-India Congress Committee.

(e) The A. I. C. C. shall meet as often as required by the Working Committee, or on joint requisition addressed to the Working Committee by not less than 40 members. Such requisition shall specify the purpose for which the requisitionists desire a meeting of the A. I. C. C. At any such meeting, additional items of business may be brought up for consideration, provided due notice thereof has been given to the members. At least one full day shall be allotted for consideration of propositions

of which due notice has been given by the members of the A.I.C.C. in accordance with the rules prescribed in that behalf.

(f) Sixty or one-fifth of the total number of members, whichever is less, shall form the quorum for a meeting of the A.I.C.C.

(g) The A.I.C.C. shall continue to function till the meeting of the newly elected A.I.C.C

(h) The A.I.C.C. may from time to time affiliate to the Congress such associations and give them such representation as it may deem necessary.

(i) Every member of the A.I.C.C. shall pay an annual subscription of Rs. 10 payable at or before the first meeting of the A.I.C.C. in any year. Members in default will not be permitted to take part in any meeting of the A.I.C.C., the Subjects Committee or any Congress session

Subjects Committee

Article XIII

(a) The A.I.C.C shall meet as the Subjects Committee, under the chairmanship of the President at least two days before the Congress Session. The outgoing Working Committee shall submit to it the draft programme of work for the Congress session including resolutions recommended by the Provincial Congress Committees, provided that whenever a new President is elected he shall preside.

(b) The Subjects Committee shall proceed to discuss the programme and shall frame resolutions for being moved in the Open Session. At least one day shall be allotted by the Subjects Committee for the consideration of proposition of which due notice has been given by the Provincial Congress Committees members of the A.I.C.C.

Congress Session*Article XIV*

(a) The session of the Congress shall be ordinarily held annually at the time and place decided upon by the A.I.C.C.

(b) The Congress session shall consist of :

(i) The President of the Congress

(ii) The ex-Presidents of the Congress, provided they are duly qualified under Article IV

(iii) The delegates elected under Article IX and the representatives under Clause (h), Article XII

(c) (i) The Congress session shall consider resolutions recommended for adoption by the Subjects Committee in the first instance.

(ii) Thereafter the session shall take up any substantive motion not included in (i) but which 40 delegates have, before the commencement of the day's sitting, requested the President in writing to allow them to place before the Congress, provided however that no such motion shall be allowed unless it has been previously discussed at a meeting of the Subjects Committee, and has received the support of at least a third of the members then present in the Subjects Committee.

(d) The Provincial Congress Committee, in whose jurisdiction the Congress session is held, shall make such arrangements for holding the Congress session as may be deemed necessary, and for this purpose shall form a Reception Committee which shall work under its general guidance and which may include therein persons who are not its members.

(e) The Reception Committee shall elect its chairman and other office-bearers from amongst its own members.

(f) The Reception Committee shall collect funds for the expenses of the session, shall make all necessary arrangements for the reception and accommodation of delegates and may also make necessary arrangements for visitors.

(g) The receipts and disbursements of the Reception Committee shall be audited by an auditor or auditors appointed by the Provincial Congress Committee concerned, and the statement of accounts together with auditor's report shall be submitted by the Provincial Congress Committee to the Working Committee not later than three months after the termination of the Congress session. Any surplus funds remaining with the Reception Committee shall be divided equally between the A.I.C.C. and the P.C.C.

Special Session

Article XV

(a) A special session of the Congress shall be held in case the A.I.C.C. so decides or a majority of the P.C.C.'s, by special resolutions, request the President of the Congress to convene such a special session

(b) Such a special session shall be organised in the same manner as a Congress session by the P.C.C. of the province selected when it is so directed by the Congress Working Committee.

(c) The President and delegates of the immediately preceding Congress session shall be the President and delegates respectively of the special session.

Election of President

Article XVI

(a) Any ten delegates may jointly send the name of any delegate or ex-President of the Congress duly qualified under Article XI whom they propose to be elected as President of the next Congress session, so as to reach the General Secretary of the A.I.C.C. on or before a date fixed by the Working Committee.

(b) The General Secretary shall publish the names of all persons so proposed, and it shall be open to any person whose name has been so proposed to withdraw his candidature within ten days of the publication of the proposed name, by writing to the General Secretary to that effect.

(c) After eliminating the names of those who have withdrawn, the General Secretary shall immediately publish the names of the remaining candidates and circulate them to the Provincial Congress Committees. If after elimination there remains only one candidate he shall be declared duly elected as President of next Congress session.

(d) On a date fixed by the Working Committee, which shall not ordinarily be less than seven days after the final publication of the names of contesting candidates, each delegate shall be entitled to record, for the selection of a President, his vote in the following manner :

On the voting paper, which shall include the names of all candidates, the delegates shall show at least three preferences if there are three or more candidates, by writing the figures 1, 2, 3, etc. against the names of the candidates voted for. Delegates may give more than three preferences if they wish to do so. Any voting paper showing less than 3 preferences will be regarded as invalid.

(e) The Provincial Congress Committee shall report immediately to the A.I.C.C. Office the number and class of preference recorded in favour of each candidate.

(f) As soon as may be after the receipt of such reports the General Secretary shall, by the process of eliminating those candidates who secure the smallest number of votes announce as President-elect the name of candidate who has secured more than 50 per cent of the votes polled.

(g) In case there are only two candidates, the General Secretaries shall announce as President-elect the name of the candidate obtaining the majority of votes.

(h) In the event of any emergency arising by reason of any cause such as death or re-ignation of the President elected as above, the General Secretary shall forthwith fix a date for a fresh election by the delegates as prescribed above. In case such procedure is not found possible, the A.I.C.C. shall elect the President.

Working Committee

Article XVII

(a) The Working Committee shall consist of the President of the Congress session, a Treasurer and eighteen members including one or more Secretaries. All the members of the Working Committee shall be appointed by the President ordinarily from amongst the members of the A.I.C.C. provided, however, that a delegate so appointed shall cease to be a member of the Working Committee if he is not elected as a member of the A.I.C.C. within the next 6 months. The proportion of members on the Working Committee holding ministerial office shall not exceed one-third of the total membership of the Committee.

(b) The Working Committee shall be the highest executive authority of the Congress and as such shall have the power to carry into effect the policy and programme laid down by the Congress and by the A.I.C.C. and shall be responsible to the A.I.C.C.

(c) The Working Committee shall place before every meeting of A.I.C.C. the reports of its proceedings and the agenda of the meeting and shall allot time for non-official resolutions of which due notice may have been given by the members of the A.I.C.C. in accordance with the rules prescribed in that behalf.

(d) The Working Committee shall appoint one or more auditors and inspectors to examine the records, papers and account books of all Congress Committees and organisations, which shall furnish all information and give to the auditors and inspectors access to all offices, accounts and records.

(e) The Working Committee shall have the power

(i) to frame rules which will be placed before the next meeting of the A.I.C.C. for its final approval and to issue instructions as may be necessary not inconsistent with the Constitution and the rules for the proper working of the Constitution and in all matters not otherwise provided for ;

(ii) to superintend, direct and control all Congress Committees except the A.I.C.C.;

(iii) to take such disciplinary action as it may deem fit against a Committee or individual for misconduct, wilful neglect or default in the discharge of duty.

(f) The Working Committee shall pay to the P.C.C. holding the Congress session one-fifth of fees recovered from the delegates, within a fortnight of the termination of the session.

(g) The Working Committee shall make arrangements to have the annual audit of the accounts of the A.I.C.C. by an auditor appointed by the A.I.C.C. every year.

Funds

Article XV/III

The Treasurer shall be in charge of the funds of the Congress and shall keep proper accounts of all investments, income and expenditure.

General Secretaries

Article X/X

(a) The General Secretaries shall be in charge of the office of the A.I.C.C.

(b) The General Secretaries shall be responsible for the preparation of the report of the proceedings of the Congress session along with the audited accounts of the session. Such report shall be published as soon as possible.

(c) The General Secretaries shall prepare the report of the work of the A.I.C.C. and the Working Committee and submit the same with the audited statement of accounts of the funds administered to the meeting of the A.I.C.C.

Credentials Committee

Article XX

(a) The first general meeting of the P.C.C. shall, by a majority of at least three-fourths of its members present and voting, appoint a Credentials Committee of not less than three and of not more than five members who shall not be candidates for any of the Congress elections during the term of their membership of this Committee.

(b) Every Credentials Committee shall hold office till it is replaced by a similar committee appointed by the next P.C.C.

(c) In case the P.C.C. fails to appoint such a committee by a date specified by the Working committee, the latter shall appoint such a committee.

(d) The Credentials Committee shall in its first meeting elect a chairman and frame rules of procedure for the conduct of its business and shall file a copy of the same with the P.C.C., provided that such rules of procedure shall not be inconsistent with the constitution and with rules made thereunder by the Working Committee.

(e) Each D.C.C. shall elect a panel of three members in its general meeting, by a majority of at least three-fourths of the members present and voting, and submit the same to the provincial Credentials Committee which shall appoint a district Credentials Committee of not more than three for each district. No member of the district Credentials Committee shall be a candidate for election to any committee during the term of his membership of the Credentials Committee.

(f) The provincial and district Credentials Committees may examine applications for Effective and Qualified membership of the Congress respectively, hear objections if any and decide them.

Tribunals

Article XXI

(a) The P.C.C. in its first general meeting shall, by a majority of at least three-fourths of its members present and voting, appoint an Election Tribunal, of not less than three and not more than five, no member of which shall stand as a candidate for any Congress election during the term of his office. Each D.C.C. shall elect a panel of three members in its general

meeting by a majority of at least three-fourths of the members present and voting and submit the same to the provincial Tribunal which shall appoint a district Election Tribunal for each district of one or more members out of the panel submitted by the respective D.C.C.'s, to receive and decide disputes relating to the election of office-bearers and members of elective committees, provided that no person so appointed shall stand as a candidate for any Congress election during his term of office. In case the D.C.C. fails to send the aforesaid panel within the time prescribed by the P.C.C. the Provincial Election Tribunal shall appoint a District Election Tribunal of not more than three for each district.

(b) Every provincial and district Election Tribunal shall hold office ordinarily for three years or till a new tribunal is appointed by the next P.C.C.

(c) If any P.C.C. fails to appoint the provincial Election Tribunal by a date specified by the Working Committee the latter shall appoint one.

(d) The provincial Election Tribunal shall in its first meeting elect its Chairman and frame rules of procedure for the conduct of its business as well as that of the district Election Tribunals and shall file a copy of the same with the P.C.C., provided that such rules of procedure shall not be inconsistent with any rules made by the Working Committee.

(e) It shall be open to the P.C.C. to elect the same personnel wholly or in part as members of the Credentials Committee or Election Tribunal. Any vacancy in either the Credentials Committee or the Election Tribunal to be filled by the remaining members of that body.

Objections

Article XXII

(a) Any person whose name is omitted or incorrectly entered in the register of Qualified or Effective members or who objects to the entry of any name therein may submit an objection in writing stating the reasons against such entry or omission to the person or persons authorised therefor by the district Credentials Committee or before a date to be fixed by the Executive of the P.C.C.

(b) After hearing the objector and any other party concerned, the district Credentials Committee may direct the name to be entered into, altered or omitted from the electoral roll.

(c) The district Credentials Committee shall maintain a brief record of proceedings before it, and a copy of its order directing any amendment shall be forwarded to the Congress committee concerned which shall take necessary action and any person aggrieved by the order of the district Credentials Committee may appeal to the provincial Credentials Committee within 15 days of the passing of the order.

Election Disputes

Article XXIII

(a) It will be open to any voter within a constituency to lodge a complaint in accordance with rules framed in that behalf in respect of an election with that constituency before the district Election Tribunal within seven days of the declaration of the result of such election and the district Election Tribunal shall decide the complaint and communicate the decision to the parties concerned without delay.

(b) Until the election is set aside by the district Tribunal the person elected shall be deemed to have been duly elected.

(c) An appeal shall lie to the provincial Election Tribunal within fifteen days of such order by the party. The order of the provincial Election Tribunal shall be final.

(d) The Working Committee may lay down rules for the conduct of elections and lodging and disposal of objections and complaints and appeals.

(e) The provincial Election Tribunal shall on its own motion or on report by a District Tribunal or on the motion of the P.C.C. or on the motion of a party concerned have the power to direct that any person found guilty of misconduct in connection with any election, maintenance of register and rolls of member, lodging of a false complaint or objection knowing it to be so, shall be disqualified from standing as a candidate for election or be expelled from the Congress for such a period as it may consider just and proper. An appeal shall lie to the Working Committee from any order passed by the provincial Election Tribunal under this clause.

Vacancies

Article XXIV

The office of a delegate or a member of the A.I.C.C. or of a P. C. C. shall be deemed to have been vacated by resignation, death or by six months' continuous absence from India without special permission from the Congress Committee concerned or if he absents himself from three consecutive meetings of the Committee of which he is a member and the vacancies thus created shall be filled in the same manner in which the vacating member was chosen. A vacancy on the Working Committee shall be filled by the President.

Census and Fractions

Article XXV

(a) Population figures of the last available census and the latest adult voters' list shall be the basis for all Congress purposes.

(b) Where there is a question of the value of fractions, a fraction of one-half or more shall be treated as one, and less than one-half as zero.

Flag

Article XXVI

The Flag of the Indian National Congress shall be of tricolour (saffron, white and green) with charkha in the centre and it shall be made out of hand-spun and hand-woven cloth.

Parliamentary Board

Article XXVII

(a) The Working Committee shall set up a Parliamentary Board consisting of the President and five other members with the Congress President as its Chairman for the purpose of regulating and co-ordinating parliamentary activities of the Congress Legislature Parties and shall frame rules in that behalf.

(b) A Central Election Committee shall be set up consisting of members of the Parliamentary Board and five other members elected by the A. I. C. C. for the purpose of (1) conducting elected campaigns and (2) making final selection of candidates for the Provincial and Central Legislatures

(c) Provincial Election Committees shall be elected by the general meeting of the respective P. C. C.'s. They shall

recommend candidates for Central and Provincial legislatures. The final selection, after hearing objections and appeals, shall be made by the Central Election Committee.

Changes in the Constitution

Article XXVIII

The foregoing Constitution can be amended, altered, or added to only by the Congress except when the A.I.C.C. has been authorised to do so. In case such authority has been given by the Congress, then the Constitution can be amended, only by a majority of two-thirds of members present and voting at a meeting of the A. I. C. C. provided notice of such proposed changes has been given to each member at least one month before the date of the meeting.

(Forms A, B, C and D follow)

FORM (A)

PRIMARY MEMBERSHIP

Article IV (a)

[Article 1. The object of the Indian National Congress is the well-being and advancement of the people of the India and the establishment in India by peaceful and legitimate means of a Cooperative Commonwealth based on equality of opportunity and of political, economic and social rights and aiming at world peace and fellowship.]

I accept the objective of the Congress as given in Article I of the Congress Constitution, as stated above.

My age is 21 years or over.

Serial No.	Name	Father's Name	Residence	Signature or thumb impression.

FORM (B)
QUALIFIED MEMBERSHIP

Article IV (c)

No. _____

Date _____

I accept the following objective of the Congress : -

“The object of the Indian National Congress is the well-being and advancement of the people of India and the establishment in India, by peaceful and legitimate means, of a Cooperative Commonwealth based on equality of opportunity and of political, economic and social rights, and aiming at world peace and fellowship”.

I am a habitual wearer of Khadi made from handspun yarn and a teetotaler. I do not observe or recognise untouchability in any shape or form. I am a believer in intercommunal unity and have respect for the faiths of other people. I also believe in equality of opportunity and status for all irrespective of race, creed or sex.

I do not belong to any political party, communal or other, which has a separate membership, constitution and programme.

I have paid Re. 1/- as the membership fee

Full name _____

Father's or Husband's name _____

Age _____

Place of residence _____

Village _____

Taluka, Thana or Ward _____

District _____

Province _____

Signature of the Applicant.

Note of the Secretary, Congress Committee

The above application has been received in the office along with Re. 1/- only, as membership fee. It is duly admitted, and the certificate of membership on the Form (C), No. _____ dated _____ is issued to the applicant.

Date _____

Signature of the Secretary.

FORM (C)

CERTIFICATE OF QUALIFIED MEMBERSHIP

Article IV (d)

No. _____

Date _____

Certified that Shri _____ has signed the pledge and has paid Re. One, his membership fee, and is duly enrolled today (give date) _____ as Qualified Member of the Indian National Congress and bears Register No. _____ in the _____ Congress Committee in Taluka _____ in the District _____ of _____ Province.

Signature of the Secretary

_____ District/City Congress Committee.

FORM (D)

EFFECTIVE MEMBERSHIP*Article IV (g)*

No. _____

Date _____

I accept the following objective of the Congress :

“The object of the Indian National Congress is the well-being and advancement of the people of India and the establishment in India, by peaceful and legitimate means, of a Cooperative Commonwealth based on equality of opportunity and of political, economic and social rights, and aiming at world peace and fellowship.”

I am a habitual wearer of certified Khadi made from handspun yarn and a teetotaler. I do not observe or recognise untouchability in any shape or form. I am a believer in intercommunal unity and have respect for the faiths of other people. I also believe in equality of opportunity and status for all irrespective of race, creed or sex.

I devote regularly a part of my time to activity or activities indicated in the following list by my initials :

1. Communal Unity
2. Removal of untouchability
3. Prohibition
4. Khadi
5. Other Village Industries
6. Village Sanitation
7. New or Basic Education
8. Adult education
9. Education in Health and Hygiene
10. Uplift of women
11. Propaganda of Rashtra Bhasha and Provincial languages.
12. Working for Economic Equality

13. Organisation of Kisans
14. Organisation of Labour
15. Organisation of Students
16. Service of Adivasis
17. Relief Work
18. Parliamentary Work
19. Congress Organisation.

Or any other activity recommended by the Working Committee or the A. I. C. C.

I am not a member of any other political party, communal or other, which has a separate membership, constitution and programme.

FORM (E)

CERTIFICATE OF EFFECTIVE MEMBERSHIP

Article IV (g)

No. _____

Date _____

Certified that Shri _____ is duly enrolled as an effective member of the Indian National Congress and bears register No. _____ in the _____ Congress Committee in Taluka _____ in the District _____ of _____ Province.

Secretary, _____ Provincial

Congress Committee.

It might be noted that in many respects this Constitution is a departure from past practices. Some of its most distinguishing features are :

1. The creed is no longer merely political. It is now the establishment of a Cooperative Commonwealth in India where equal opportunities would be given to all, irrespective of caste, creed or sex. The Congress has also extended its hand to sister nations in the endeavour to establish a world-federation of free and equal nations.

2. A three-tier membership—Primary, Qualified and Effective.

3. No fee to be paid by Primary Members. They have only to sign the Congress pledge accepting its creed.

4. The Congress organisation is to be maintained with the help of actual workers in the political and other fields. An Effective Member is one who gives some time and energy in working out one or the other of the many items of constructive national work.

5. Members of other political parties with a separate membership, constitution and policy cannot stand for Congress elections.

6. The Primary Members would take part only in the elections to the Village Congress Panchayat. All other elections would be indirect.

7. Triennial elections to all Congress Committees instead of the former annual elections. The Congress session would however continue to be held every year.

These might be said to be the most important aspects of the new constitution. The reasons for these changes are obvious. After the attainment of full freedom there was no meaning in retaining the old political creed. It was equally necessary, now that we were a full fledged nation, to indicate our attitude towards other nations. In view of the amount of work which has to be done among the people, it is necessary that this vast organisation should have the advantage of the services of persons who are known for their concrete work and experience. It was thought necessary that after election of office-bearers there should at least be a period of three years during which work may be carried on without interruption or change of policies. As regards the abolition of the four-anna fee, there were several complaints that the four-anna membership lent itself to much corruption. It has therefore been given up. Along with the abolition of four-anna membership, the rights of the Primary Members are restricted to only one direct election viz. that of Village Congress Panchayats. Finally, it was found from experience that when the Congress was in power and was responsible for day to day administration it was impractical to have within the Congress a party which had a different policy, programme, constitution, membership and fees. It created confusion in

the minds of the people when workers from a single organisation went on propagating two opposite points of view. The Socialists have seceded from the Congress as a result.

The new Constitution is thus framed with a view to strengthen the Congress, purify it, and make it a fitting instrument for the regeneration of this vast country.

CONCLUSION

An attempt has been made in the foregoing pages to telescope the history of the Congress Constitution with a view to delineate the chief factors which have been responsible for its evolution from an association of the intelligentsia to an organisation based on the will of the common people. This development is closely interwoven with the progress of the national movement for freedom. It is therefore natural that the political developments in the country should have had their obvious repercussions on the character of the Congress organisation. In other words its growth has been more or less simultaneous with the political progress of India.

The imperceptible change that gradually occurred in the complexion of the Congress is, as we have noted, towards giving it the mass bias which it had lacked in the beginning. The early attempts at constitution-making leading to the Constitution of 1908, was the first step in that direction. It gave the Congress a written Constitution which in the main has stood the test of time. The amendments of 1915 carried the tendency to broadbase the Congress, a little further. With the Nagpur Constitution of 1920, inspired as it was by Mahatma Gandhi, the Congress made a direct approach to the masses. It became a popular organisation in its true sense and provided a medium for the expression of the will of the people. Through the Congress, the general public could take part in the

freedom movement and thereby influence the course of events in the country. All further revisions of the Constitution were dictated by circumstances which made it necessary for the Congress to look more and more to the people for strength and sustenance. The 1934 Constitution, for example, stressed the importance of the rural element in the make-up of the body politic and gave it its due share in Congress policy-making. It kept the Congress going until the dawn of political independence. It goes without saying that these timely changes in the Constitution towards broadbasing the organisation, have contributed a great deal to the immense popularity that the Congress has enjoyed all these years and have enabled it to canvass mass support for its revolutionary policies and programme.

The present Constitution of the Congress is in a class by itself. It cannot be and should not be judged by earlier standards and from the old view-point. It was passed in an independent India for a Congress that is no longer a national front of heterogeneous elements brought together by the exigencies of the battle for freedom. Today the Congress functions on an entirely different plane, more or less as a political party, in charge of the country's administration. Its objectives, its duties, its mode of working—all these are different from what they were before India became free. The Congress is no longer an organisation seeking to disrupt the Government established by law. It has a positive ideology and it aims at establishment of a Cooperative Commonwealth of an entirely Indian

conception based on the principles of political, social and economic democracy. It seeks to realise this ideal through perfectly peaceful methods. Therefore, while the Congress has its responsibilities in the new order, these are of a different hue. It is against this background that the Constitution passed in 1948 should be viewed. To the extent that it helps the Congress to pursue its new objectives in the context of freedom recently won, will its success be judged.

It has been a fascinating story—this account of the development of the Congress Constitution. That it has made history in this country is a self-evident truth. With the inevitability of an unfolding drama it has moved on, never looking backward, drawn forward by the irresistible course of events towards the final consummation of its destiny. It has had its ups and downs ; but it has never faltered, never failed to deliver the goods. It has been a true mirror of the nation's mind and the people's aspirations. If the future is as progressive as the past, the new Congress can, with its long traditions of selfless service, yet be a force in this country to mould the destinies of India's depressed millions, to banish poverty, ill-health and illiteracy from this ancient land and to establish a society based on truth and justice.

We stand on the threshold of a new age when far-reaching changes are imminent. In these days our ambitions soar high. It is idle to speculate but we have nothing to lose by keeping before us ideals that inspire. We may now be wandering in the Valley of

the Shadow. The vista open before us is rugged, but sufficiently attractive. Nevertheless, it is not for us to survey the distant hills and valleys that beckon to us from afar. Let us have faith in the hope that the great is yet to be.

APPENDIX I

Extracts from Gandhiji's Statement

Wardha, 17th September, 1934

It has appeared to me that there is a growing and vital difference of outlook between many Congressmen and myself. I seem to be going in a direction just the opposite of what many of the most intellectual Congressmen would gladly and enthusiastically take, if they were not hampered by their unexampled loyalty to me. No leader can expect greater loyalty and devotion than I have received from intellectually-minded Congressmen, even when they protested and signified their disapproval of the policies I have laid before the Congress. For me any more to draw upon this loyalty and devotion is to put undue strain upon them. Their loyalty cannot blind my eyes to what appear to me to be fundamental differences between the Congress intelligentsia and me.

Let me state them. I put the spinning-wheel and khadi in the forefront. Hand-spinning by Congress intelligentsia has all but disappeared. The general body of them have no faith in it and yet, if I could carry their reason with me, I would substitute the four-anna franchise by personal, daily hand-spinning. The khadi clause of the Congress Constitution has been almost a dead letter from the beginning and Congressmen have not been wanting who have reminded me that I am responsible for the hypocrisy and evasion about the working of the khadi clause. I ought to have realized that it was not passed out of deep conviction, but largely out of personal loyalty to me. I must own that there is considerable force in the argument. Nevertheless my conviction is growing that if India is to win Complete Independence in terms of the toiling millions and through unadulterated non-violence, the spinning-wheel and khadi have

to be as natural to the educated few as to the partially unemployed and semi-starved millions who, for not using their hands for the purpose for which nature has endowed man with them, have become almost like beasts of burden. The spinning-wheel is thus an emblem of human dignity and equality in the truest sense of the term. It is the handmaid of agriculture. It is the nation's second lung. We are perishing because we are using only one lung ; yet only a few Congressmen have a living faith in the India-wide potency of the wheel. The removal of the khadi clause in the Constitution would mean removal of the living link between the Congress and millions whom it has from its inception sought to represent, and yet if it remains, it has to be rigidly enforced. But it cannot be, if a substantial majority of Congressmen have no living faith in it.

Take again the Parliamentary Board. Though the author of non-cooperation, I am convinced that in the present circumstances of the country and in the absence of any general scheme of civil resistance, a Parliamentary Party within the Congress is a necessary part of any programme that may be framed by the Congress ; but there are sharp differences of opinion among us on that point. The force with which I urged the programme at the All-India Congress Committee meeting in Patna, I know, oppressed many of our best colleagues, but they hesitated to act according to their own conviction. Upto a point, suppression of one's views in favour of those of another, considered superior in wisdom or experience, is virtuous and desirable for the healthy growth of an organisation ; it becomes a terrible oppression when one is called upon to repeat the performance from day to day. Though I have never wished any such untoward result, I cannot conceal from me or the public the tragic fact that such has been my own experience. Many have despaired of resisting me. This is a humiliating revelation to a born democrat. I make that claim of complete identification with the poorest of mankind, an intense longing to live no better than they and a corresponding conscious effort

to approach that level to the best one's ability can entitle one to make it.

I have welcomed the formation of the Socialist group. Many of them are respected and self-sacrificing co-workers. With all this, I have fundamental differences with them on the programme published in their authorized pamphlets. But I would not, by reason of the moral pressure I may be able to exert, suppress the spread of ideas propounded in their literature. I may not interfere with the free expression of those ideas, however distasteful some of them may be to me. If they gain ascendancy in the Congress, as they well may, I cannot remain in the Congress. For, to be in active opposition should be unthinkable. Though identified with many organizations during a long period of public service, I have never accepted that position.

Then there is the policy advocated by some in regard to the States which is wholly different from what I have advised. I have given many an anxious hour to the question but I have not been able to alter my view.

Even on untouchability, my method of approach is perhaps different from that of many, if not of most Congressmen. For me, it is a deeply religious and moral issue. Many think that it was a profound error for me to have disturbed the course of the civil resistance struggle by taking up the question in the manner, and at the time I did. I feel that I would have been untrue to myself if I had taken any other course.

Last of all, take non-violence. After 14 years of trial, it still remains a policy with the majority of Congressmen, whereas it is a fundamental creed with me. That Congressmen do not still regard non-violence as a creed is no fault of theirs. It is undoubtedly my faulty presentation and still more, the faulty execution that are responsible for this failure. I have no

consciousness of faulty presentation or execution, but it is the only possible inference from the fact that it has not yet become an integral part of the lives of Congressmen.....

I propose to test the feeling of the Congress on all the points I have touched, by placing before the Subjects Committee certain resolutions, giving effect to the views enunciated above. The first amendment I would propose is to replace the words 'legitimate and peaceful' by 'truthful and non-violent'. I should not have done so but for the furore of opposition which was raised against the utterly innocent use by me of the two adjectives in the place of 'legitimate and peaceful'. If Congressmen really believe in the necessity of truthfulness and non-violence for the attainment of our goal, they should have no hesitation about accepting the unequivocal adjectives.

The second amendment would be to replace the four-anna franchise by the delivery by every member to a Congress depot of 2,000 rounds (one round equal to four feet) per month of well-twisted, even yarn of not less than 15 counts spun by himself or herself. The arguments for and against need not be repeated here. If we are to be a truly democratic body representing even the lowest paid labour, we cannot do it better than by devising a simple labour franchise. Hand-spinning is by common consent the lowest paid labour and yet the most dignified. It is the nearest approach to adult franchise within the means of almost every one who is willing to labour for the sake of the country for half an hour daily. Is it too much to expect the intelligentsia and the propertied classes to recognise the dignity of labour, irrespective of the material benefit it brings? Is not labour, like learning its own reward? If we are true servants of the masses, we would take pride in spinning for their sakes. I recall what the late Maulana Mohammad Ali used to repeat from many a platform. As the sword was the symbol of brute force and might, he would say, the wheel or the *takli* was the symbol of non-violence, service and humility. When the wheel was

accepted as part of the national flag it was surely implied that the spinning-wheel would hum in every household. If Congressmen do not believe in the message of the wheel, we must remove it from the national flag, and khaddar from the Constitution. It is intolerable that there should be unashamed fraud in the observance of the khaddar clause.

The third amendment I should propose would be that no one shall be entitled to vote at any Congress election whose name has not been on the Congress register continuously for six months without default, and who has not been a habitual wearer wholly of khaddar for that period. A great difficulty has been experienced in the working of the khaddar clause. It can be easily avoided by giving powers, subject to appeal to the President of the Congress and to the chairmen of respective committees, to decide the question whether a particular voter is or is not a habitual wearer wholly of khaddar within the meaning of the Constitution. No one is to be considered such a wearer who, at the time of voting, is not manifestly wholly clad in khaddar. But no rule, however carefully and strictly worded, can produce satisfactory results if a large number do not voluntarily carry it out.

Experience has shown that the Congress is an unwieldy organisation, even with 6,000 delegates. In practice, the full number has never attended the Congress, and when the Congress register nowhere contains a truly representative list, the delegation can hardly be claimed to be a reality. I would, therefore, have an amendment reducing the number to not more than 1,000 delegates nor more than one delegate per every thousand voters. To have the full number of delegates would mean one million voters, not an over-ambitious hope in a country having a population of 315 millions. The Congress would, by this amendment, gain in substance what it may lose in the show of numbers. The spectacular part of the session would be kept intact by making ample provision for visitors, but Reception Committees will be

spared the wholly unnecessary anxiety of having to provide accommodation for an unwieldy number of delegates. Let us recognise the fact that the Congress enjoys a prestige, democratic in character and influence, not by the number of delegates and visitors it has drawn to its annual functions but by the ever-increasing amount of service it has rendered. Western democracy is on its trial. If it has already proved a failure, may it be reserved to India to evolve the true science of democracy by giving a visible demonstration of its buttress. Corruption and hypocrisy ought not to be the inevitable products of democracy, as they undoubtedly are to-day. Nor is bulk a true test of democracy. True democracy is not inconsistent with a few persons representing the spirit, the hope and the aspirations of those whom they claim to represent. I hold that democracy cannot be evolved by forcible methods. The spirit of democracy cannot be imposed from without. It has to come from within.

I have mentioned here only the principal amendments I should propose in the Constitution. There would be other resolutions bringing out clearly the points I have touched upon in the foregoing paras. I do not need to burden this statement with them. My fear is that even the amendments I have named will hardly commend themselves to the large number of Congressmen who will attend the Congress. Nevertheless, if I am to guide the policy of the Congress, I hold them and the resolutions in keeping with the spirit of this statement, to be essential for the earliest attainment of our goal.

APPENDIX II

The following is the exact translation of the Hindi draft that Gandhiji gave to the Constitution Committee in January, 1946.

1. Constructive programme is the chief plank for winning Swaraj by truthful and non-violent means. Its full execution means complete independence. But so long as the millions of India do not take to it, parliamentary programme will remain as a supplement.

2. The method of enrolment of Congress membership has been useful and Congress has been able to do a lot of good work. But many defects have crept in. Therefore, in future the Congress will consist of workers or servants of the nation only. Any man or woman above the age of sixteen can become a Congress worker, provided he or she is a habitual wearer of khadi certified by the A. I. S. A. and pays a monthly fee of 1,920 rounds of hand-spun yarn to the Congress. The spinners should be conversant with all the processes from picking cotton pods from the field to the point of making slivers and producing yarn. They should also know how to put a spinning wheel in order.

3. The Congress shall make it a point of duty to penetrate the 700,000 villages of India. At least one Congress worker shall stay in each village and do the following :

(a) He shall come in personal contact with every villager and keep a list of their names along with those of the other members of their families.

(b) He will enrol and train Congress workers from amongst the villagers themselves and keep a register of all those who come on the roll. These shall form the Village Congress Committee.

(c) He shall keep a record of his work from day to day.

(d) It is possible that obstacles might be placed in his way by the Government or by the villagers themselves. He shall fight all difficulties by truthful and non-violent action even though he might perish in the attempt

(e) He shall organise the villagers so as to make them self-contained and self-supporting through their agriculture and handicrafts, treating the manufacture of khadi as the centre, in accordance with the lines laid down by the A.I.S.A., A.I.V.I.A. and the Go Seva Sangh.

(f) He shall organise sanitation and hygiene among the villagers and take all measures for prevention of disease among them.

(g) He shall organise the education of the villagers from birth to death along the lines of Nayee Talim, in accordance with the policy laid down by the Hindustani Talimi Sangh.

(h) For the above purposes and others to be added from time to time by the Congress, he shall train and fit himself for the due performance of duty, in accordance with the rules laid down by the Congress from time to time.

4. The Congress shall take part in the elections in all Government-managed or controlled institutions, beginning with the village panchayat to the Central Legislative Assembly and Council.

5. The Congress shall contact all those who are on the Government's voters' list, and

(a) will give them an idea of their duties and their rights,

(b) shall produce the necessary literature for their education,

(c) shall make arrangements to impart literacy to the illiterate amongst them,

(d) shall see that those whose names are missing on the Government registers are duly entered therein,

(e) shall encourage those who are legally unqualified for the franchise to acquire the necessary qualifications for getting the right, and

(f) shall carry on agitation for adult franchise for all inhabitants of India who are not proved lunatics or otherwise unfit workers.

6. Out of the existing workers the Congress shall maintain a Central Board of Volunteers whose sole and special duty will be to reach help and protect, in accordance with Truth and Non-violence, the people in cases of rioting, stealing, robbery and like emergencies. To this end the Congress shall conduct a teaching institution

7. The Congress shall run a Language School so as to enable Congressmen and women to learn the national language (*i.e.*, Hindustani spoken by the villagers—Hindus, Muslims and others in the villages of the North—and written in the Nagri or Urdu script) and other Indian languages. This work is to be done along the lines of the Hindustani Prachar Sabha.

8. Representative Village Congress Sabhas being one per not less than 1,000 voters and of workers being one per 1,000 workers shall form the A.I.C.C.

9 The Indian National Congress will comprise :

1. Village Congress Committee
2. All-India Congress Committee
3. Working Committee of the Congress
4. All-India Spinners' Association
5. All-India Village Industries Association
6. Hindustani Talimi Sangh
7. Institution for Removal of Untouchability

8. Anti-Intoxicant Association
9. Labour Union
10. Kisan Union

10. The A I. C. C. shall frame rules for the smooth working of the Constitution and for matters left unprovided for herein.

APPENDIX III

Gandhiji's suggestions regarding the future organisation of the Congress given on 30th January, 1948.

Though split into two, India having attained political independence through means devised by the Indian National Congress, the Congress in its present shape and form, *i.e.*, as a propaganda vehicle and parliamentary machine, has outlived its use. India has still to attain social, moral and economic independence in terms of its seven hundred thousand villages as distinguished from its cities and towns. The struggle for the ascendancy of civil over military power is bound to take place in India's progress towards its democratic goal. It must be kept out of unhealthy competition with political parties and communal bodies. For these and other similar reasons the A. I. C. C. resolves to disband the existing Congress organisation and flower into a Lok Sevak Sangh under the following rules with power to alter them as occasion may demand.

Every Panchayat of five adult men or women, being villagers or village-minded, shall form a unit.

Two such contiguous Panchayats shall form a working party under a leader elected from among themselves.

When there are one hundred such Panchayats, the fifty first-grade leaders shall elect from among themselves a second-grade leader and so on, the first grade leaders, meanwhile working under the second-grade leader. Parallel groups of two hundred Panchayats shall continue to be formed till they cover the whole of India, each succeeding group of Panchayats electing second-grade leaders after the manner of the first. All second-grade leaders shall serve jointly for the whole of India and severally for their respective areas. The second-grade leaders may elect,

whenever they deem necessary, from among themselves a chief who will, during pleasure, regulate and command all the groups.

(As the final formation of provinces or districts is still in a state of flux, no attempt has been made to divide this group of servants into Provincial or District Councils and jurisdiction over the whole of India has been vested in the group or groups that may have been formed at any given time. It should be noted that this body of servants derive their authority or power from service ungrudgingly and wisely done to their master, the whole of India.)

1. Every worker shall be a habitual wearer of khadi made from self-spun yarn or certified by the A. I. S. A. and must be a teetotaler. If a Hindu, he must have abjured untouchability in any shape or form in his own person or in his family. He must be a believer in the ideal of inter-communal unity, equal respect and regard for all religions and equality of opportunity and status for all irrespective of race, creed or sex.

2. He shall come in personal contact with every villager within his jurisdiction.

3. He shall enrol and train workers from amongst the villagers and keep a register of all these.

4. He shall organise the villages so as to make them self-contained and self-supporting through their agriculture and handicrafts.

5. He shall educate the village-folk in sanitation and hygiene and take all measures for prevention of ill-health and disease among them.

6. He shall organise the education of village-folk from birth to death along the lines of Nayee Talim, in accordance with the policy laid down by the Hindustani Talimi Sangh.

7. He shall see that those whose names are missing on the statutory voters' roll are duly entered therein.

8. He shall encourage those who have not yet acquired the legal qualification to acquire it, for getting the right of franchise.

9. For the above purposes and others to be added from time to time, he shall train and fit himself in accordance with the rules laid down by the Sangh for the due performance of duty.

The Sangh shall affiliate the following autonomous bodies :

1. A. I. S. A.
2. A. I. V. I. A.
3. Hindustani Talimi Sangh
4. Harijan Sevak Sangh
5. Go Seva Sangh.

Finance

The Sangh shall raise finances for the fulfilment of its mission from among the villagers and others, special stress being laid on collection of poor man's pice.

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